

relating to notification of qualified beneficiaries by plan administrator</header><text display-inline="yes-display-inline">For purposes of subparagraph (A) (iv)â€

<clause id="H12C830C1C1A04EA386833B9F2E9B8D0C"><enum>(i)</enum><text display-inline="yes-display-inline">any notification shall be made within 14 days (or, in the case of a group health plan which is a multiemployer plan, such longer period of time as may be provided in the terms of the plan) of the date on which the plan administrator is notified under clause (ii) or (iii) of subparagraph (A), whichever is applicable;</text></clause>

<clause id="H5FC664956F4745329E5EB3FBE6BA815E"><enum>(ii)</enum><text display-inline="yes-display-inline">any such notification to an individual who is a qualified beneficiary as the spouse of the covered employee shall be treated as notification to all other qualified beneficiaries residing with such spouse at the time such notification is made; and</text></clause>

<clause id="H10988A01EC304884B0CC032E38CD7C56"><enum>(iii)</enum><text display-inline="yes-display-inline">any such notification shall, with respect to each qualified beneficiary with respect to whom such notification is made, include information regarding any Exchange established under title I of the Patient Protection and Affordable Care Act through which such a qualified beneficiary may be eligible to enroll in a qualified health plan (as defined in section 1301 of the Patient Protection and Affordable Care Act), includingâ€

<subclause id="HB06E2529889448BAAEEAE128B4BFFF3B"><enum>(I)</enum><text display-inline="yes-display-inline">the publicly accessible Internet website address for such Exchange;</text></subclause>

<subclause id="H06963398207E44D9B4041F148851A622"><enum>(II)</enum><text display-inline="yes-display-inline">the publicly accessible Internet website address for the Find Local Help directory maintained by the Department of Health and Human Services on the healthcare.gov Internet website (or a successor website);</text></subclause>

<subclause id="H01C8DF93602645D185825297CEE1EF32"><enum>(III)</enum><text display-inline="yes-display-inline">a clear explanation thatâ€

<item id="HBC9F6979243A4A02A093922264D79B71"><enum>(aa)</enum><text display-inline="yes-display-inline">an individual who is eligible for continuation coverage may also be eligible to enroll, with financial assistance, in a qualified health plan offered through such Exchange, but, in the case that such individual elects to enroll in such continuation coverage and subsequently elects to terminate such continuation coverage before the period of such continuation coverage expires, such individual will not be eligible to enroll in a qualified health plan offered through such Exchange during a special enrollment period; and</text></item>

<item id="H429893E3F84D4650AB23B7C76D96BB33"><enum>(bb)</enum><text display-inline="yes-display-inline">an individual who elects to enroll in continuation coverage will remain eligible to enroll in a qualified health plan offered through such Exchange during an open enrollment period and may be eligible for financial assistance with respect to enrolling in such a qualified health plan;</text></item></subclause>

<subclause id="HCCAAC7616EBD468EB512750495B32BFA"><enum>(IV)</enum><text display-inline="yes-display-inline">information on consumer protections with respect to enrolling in a qualified health plan offered through such Exchange, including the requirement for such a qualified health plan to provide coverage for essential health benefits (as defined in section 1302(b) of the Patient Protection and Affordable Care Act) and the requirements applicable to such a qualified health plan under part A of title XXVII of the Public Health Service Act; and</text></subclause>

<subclause id="HFB61B9F320B84E389C4F01DD5AC5C085"><enum>(V)</enum><text display-inline="yes-display-inline">information on the availability of financial assistance with respect to enrolling in a qualified health plan, including the maximum income limit for eligibility for a premium tax credit under section 36B.</text></subclause></clause></subparagraph><after-quoted-block>.</after-quoted-block></quoted-block></subparagraph></paragraph>

<paragraph id="HB0F74B146E19444F8C7C9D29DD10444A"><enum>(2)</enum><header>Effective date</header><text display-inline="yes-display-inline">The amendments made by paragraph (1) shall apply with respect to qualifying events occurring on or after the date that is 14 days after the date of the enactment of this Act.</text></paragraph></subsection>

<subsection id="H92862C2D38A741638339C3CB8AA4B342" commented="no"><enum>(d)</enum><header>Model notices</header><text display-inline="yes-display-inline">Not later than 14 days after the date of the enactment of this Act, the Secretary of the Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shallâ€

<paragraph id="HF10A8EE34FED4D5A904F1CDD3E1EA267" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">update the model Consolidated Omnibus Budget Reconciliation Act of 1985 (referred to in this subsection as <quote>COBRA</quote>) continuation coverage general notice and the model COBRA continuation coverage election notice developed by the Secretary of Labor for purposes of facilitating compliance of group health plans with the notification requirements under section 606 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166) to include the information described in paragraph (3) of subsection (c) of such section 606, as added by subsection (a) (1);</text></paragraph>

<paragraph id="HB2F0750153F84FE58B6BBC18BCB71FE6" commented="no"><enum>(2)</enum><text display-inline="yes-display-inline">provide an opportunity for consumer testing of each such notice, as so updated, to ensure that each such notice is clear and understandable to the average participant or beneficiary of a group health plan; and</text></paragraph>

<paragraph id="HED6BE0F3828A4A24BA20F56B910EFBCD"><enum>(3)</enum><text display-inline="yes-display-inline">rename the model COBRA continuation coverage general notice and the model COBRA continuation coverage election notice as the <quote>model COBRA continuation coverage and Affordable Care Act coverage general notice</quote> and the <quote>model COBRA continuation coverage and Affordable Care Act coverage election notice</quote>, respectively.</text></paragraph></subsection></section>

<section id="H92505E70ED31401EBDC4691FBB5109A8" section-type="subsequent-section"><enum>30306.</enum><header>Sooner coverage of testing for COVIDâ€19</header><text display-inline="no-display-inline">Section 6001(a) of division F of the Families First Coronavirus Response Act (42 U.S.C. 1320bâ€5 note) is amended by striking <quote>beginning on or after</quote> and inserting <quote>beginning before, on, or after</quote>. </text></section></subtitle>

<subtitle id="HF2092534976C4B1CBA8C4EE4B05BD9C2"><enum>B</enum><header>Worker Health Coverage Protection</header>

<section id="H9E235B22B943441AB8A26CA9FFA5E9CC"><enum>30311.</enum><header>Short title</header><text display-inline="no-display-inline">This subtitle may be cited as the <quote><short-title>Worker Health Coverage Protection Act</short-title></quote>.</text></section>

<section id="H1F17CF2EB3A34ACCA5A298CB87545176"><enum>30312.</enum><header>Preserving health benefits for workers</header>

<subsection id="H17ACBBF5292A4522AD77CAF48746C8CC"><enum>(a)</enum><header>Premium assistance for COBRA continuation coverage and furloughed continuation coverage for individuals and their families</header>

<paragraph id="H6AFD5CA5660741538D23D3FEC5A6D857"><enum>(1)</enum><header>Provision of premium assistance</header>

<subparagraph id="H0C7435114126479C85176EEF55AF3880"><enum>(A)</enum><header>Reduction of premiums payable</header>

<clause id="H445AE71E1D7E4E7BA08A6DAB71D39406"><enum>(i)</enum><header>COBRA continuation coverage</header><text display-inline="yes-display-inline">In the case of any premium for a period of coverage during the period beginning on March 1, 2020, and ending on January 31, 2021 for COBRA continuation coverage with respect to any assistance eligible individual described in paragraph (3) (A), such individual shall be treated for purposes of any COBRA continuation provision as having paid the amount of such premium if such individual pays (and any person other than such individualâ€™s employer pays on behalf of such individual) 0 percent of the amount of such premium owed by such individual (as determined without regard to this subsection).</text></clause>

<clause id="H78AFCD11FD694C33922F287132F74F7B"><enum>(ii)</enum><header>Furloughed continuation coverage</header><text display-inline="yes-display-inline">In the case of

any premium for a period of coverage during the period beginning on March 1, 2020, and ending on January 31, 2021 for coverage under a group health plan with respect to any assistance eligible individual described in paragraph (3) (B), such individual shall be treated for purposes of coverage under the plan offered by the plan sponsor in which the individual is enrolled as having paid the amount of such premium if such individual pays (and any person other than such individual's employer pays on behalf of such individual) 0 percent of the amount of such premium owed by such individual (as determined without regard to this subsection).

<subparagraph id="H5A316FF674574B298A61D41F8F044D30" commented="no"><enum>(B)</enum><header>Plan enrollment option</header>

<clause id="H4512CEE30D55410383E68FC13733611F" commented="no"><enum>(i)</enum><header>In general</header><text display-inline="yes-display-inline">Notwithstanding the COBRA continuation provisions, any assistance eligible individual who is enrolled in a group health plan offered by a plan sponsor may, not later than 90 days after the date of notice of the plan enrollment option described in this subparagraph, elect to enroll in coverage under a plan offered by such plan sponsor that is different than coverage under the plan in which such individual was enrolled at the time</text>

<subclause id="H81CF0439CA7B4624905A6F5877BA64DA"><enum>(I)</enum><text>in the case of any assistance eligible individual described in paragraph (3) (A), the qualifying event specified in section 603(2) of the Employee Retirement Income Security Act of 1974, section 4980B(f) (3) (B) of the Internal Revenue Code of 1986, section 2203(2) of the Public Health Service Act, or section 8905a of title 5, United States Code (except for the voluntary termination of such individual's employment by such individual), occurred, and such coverage shall be treated as COBRA continuation coverage for purposes of the applicable COBRA continuation coverage provision; or</text></subclause>

<subclause id="HCE014FDC541A49A2A02190AEF18BDF26"><enum>(II)</enum><text display-inline="yes-display-inline">in the case of any assistance eligible individual described in paragraph (3) (B), the furlough period began with respect to such individual.</text></subclause></clause>

<clause id="HC7F9462E94B747F29A08DA6585A8A7A8" commented="no"><enum>(ii)</enum><header>Requirements</header><text display-inline="yes-display-inline">Any assistance eligible individual may elect to enroll in different coverage as described in clause (i) only if</text>

<subclause id="H3D6D400D8E69420F874195CB4C9CA975" commented="no"><enum>(I)</enum><text display-inline="yes-display-inline">the employer involved has made a determination that such employer will permit such assistance eligible individual to enroll in different coverage as provided under this subparagraph;</text></subclause>

<subclause id="HE0703A3D631A434B8DBDA559DD17FC14" commented="no"><enum>(II)</enum><text display-inline="yes-display-inline">the premium for such different coverage does not exceed the premium for coverage in which such individual was enrolled at the time such qualifying event occurred or immediately before such furlough began;</text></subclause>

<subclause id="HFF43BEABC47142F8B7BB1BB80B2BF067" commented="no"><enum>(III)</enum><text display-inline="yes-display-inline">the different coverage in which the individual elects to enroll is coverage that is also offered to the active employees of the employer, who are not in a furlough period, at the time at which such election is made; and</text></subclause>

<subclause id="HD11082C7420C4AEAA8C077364143D578" commented="no"><enum>(IV)</enum><text display-inline="yes-display-inline">the different coverage in which the individual elects to enroll is not</text>

<item id="HF93EAF5B147C4C8F8955A3B92224866D" commented="no"><enum>(aa)</enum><text display-inline="yes-display-inline">coverage that provides only dental, vision, counseling, or referral services (or a combination of such services);</text></item>

<item id="HB61DE30724C444ED941821186EFD346A"><enum>(bb)</enum><text display-inline="yes-display-inline">a qualified small employer health reimbursement arrangement (as defined in section 9831(d) (2) of the Internal Revenue Code of 1986);</text></item>

<item id="H3DD4515092E640AE89EA25812CF2B12E" commented="no"><enum>(cc)</enum><text display-inline="yes-display-inline">a flexible spending arrangement (as defined in

section 106(c) (2) of the Internal Revenue Code of 1986); or</text></item>

<item id="H184ADE2551AA451FA69787F5EEA9BE11"><enum>(dd)</enum><text display-inline="yes-display-inline">benefits that provide coverage for services or treatments furnished in an on-site medical facility maintained by the employer and that consists primarily of first-aid services, prevention and wellness care, or similar care (or a combination of such care).</text></item></subclause></clause></subparagraph>

<subparagraph id="H62213ADC22A34EFC8801E8D2F44F2CC0" commented="no"><enum>(C)</enum><header>Premium reimbursement</header><text display-inline="yes-display-inline">For provisions providing the payment of such premium, see section 6432 of the Internal Revenue Code of 1986, as added by paragraph (14).</text></subparagraph></paragraph>

<paragraph id="H94664AE756724DABA82423028EA41D69"><enum>(2)</enum><header>Limitation of period of premium assistance</header>

<subparagraph id="HFEF5651D44724878ABDAC0BDFE1AC140"><enum>(A)</enum><header>Eligibility for additional coverage</header><text display-inline="yes-display-inline">Paragraph (1) (A) shall not apply with respect to&e" </text>

<clause id="H928CDFD8961B4334BC3E1A4C18BA7F65"><enum>(i)</enum><text display-inline="yes-display-inline">any assistance eligible individual described in paragraph (3) (A) for months of coverage beginning on or after the earlier of&e" </text>

<subclause id="HCB205C41F96B40CA99DA6B47D5545234"><enum>(I)</enum><text display-inline="yes-display-inline">the first date that such individual is eligible for coverage under any other group health plan (other than coverage consisting of only dental, vision, counseling, or referral services (or a combination thereof), coverage under a flexible spending arrangement (as defined in section 106(c) (2) of the Internal Revenue Code of 1986), coverage of treatment that is furnished in an on-site medical facility maintained by the employer and that consists primarily of first-aid services, prevention and wellness care, or similar care (or a combination thereof)), or eligible for benefits under the Medicare program under title XVIII of the Social Security Act; or</text></subclause>

<subclause id="H7295487E8D184708830EA51F2560CCB4"><enum>(II)</enum><text>the earliest of&e" </text>

<item id="HA748FCB3495D49D2B1F4C15B3E805DF8"><enum>(aa)</enum><text display-inline="yes-display-inline">the date following the expiration of the maximum period of continuation coverage required under the applicable COBRA continuation coverage provision; or</text></item>

<item id="H54EFA77D424D4324A213AAEC06FE41AB"><enum>(bb)</enum><text display-inline="yes-display-inline">the date following the expiration of the period of continuation coverage allowed under paragraph (4) (B) (ii); or</text></item></subclause></clause>

<clause id="HDE13EB8D754C47C69E9CFBB151B45D09"><enum>(ii)</enum><text>any assistance eligible individual described in paragraph (3) (B) for months of coverage beginning on or after the earlier of&e" </text>

<subclause id="H3CD92097528F4748ACB1959C87DC80F3"><enum>(I)</enum><text display-inline="yes-display-inline">the first date that such individual is eligible for coverage under any other group health plan (other than coverage consisting of only dental, vision, counseling, or referral services (or a combination thereof), coverage under a flexible spending arrangement (as defined in section 106(c) (2) of the Internal Revenue Code of 1986), coverage of treatment that is furnished in an on-site medical facility maintained by the employer and that consists primarily of first-aid services, prevention and wellness care, or similar care (or a combination thereof)), or eligible for benefits under the Medicare program under title XVIII of the Social Security Act; or</text></subclause>

<subclause id="H2F846390ACA64A81B7D62F5ABFD8E6B7"><enum>(II)</enum><text display-inline="yes-display-inline">the first date that such individual is no longer in the furlough period.</text></subclause></clause></subparagraph>

<subparagraph id="HBB662399EF834DB1A8F3B1ADBA19BB51"><enum>(B)</enum><header>Notification

requirement</header><text display-inline="yes-display-inline">Any assistance eligible individual shall notify the group health plan with respect to which paragraph (1)(A) applies if such paragraph ceases to apply by reason of clause (i)(I) or (ii)(I) of subparagraph (A) (as applicable). Such notice shall be provided to the group health plan in such time and manner as may be specified by the Secretary of Labor.</text></subparagraph>

<subparagraph id="HC1F5B076A02248618C154091BF7F99B3"><enum>(C)</enum><header>Special enrollment period following expiration of premium assistance</header><text display-inline="yes-display-inline">Notwithstanding section 1311 of the Patient Protection and Affordable Care Act (42 U.S.C. 18031), the expiration of premium assistance pursuant to a limitation specified under subparagraph (A) shall be treated as a qualifying event for which any assistance eligible individual is eligible to enroll in a qualified health plan offered through an Exchange under title I of such Act (42 U.S.C. 18001 et seq.) during a special enrollment period.</text></subparagraph></paragraph>

<paragraph id="H0054AE03C7D94D46A2F478CE9294863A"><enum>(3)</enum><header>Assistance eligible individual</header><text display-inline="yes-display-inline">For purposes of this section, the term <term>assistance eligible individual</term> means, with respect to a period of coverage during the period beginning on March 1, 2020, and ending on January 31, 2021—</text>

<subparagraph id="HC3EC8FDA23B2468484191B2C0237D939"><enum>(A)</enum><text display-inline="yes-display-inline">any individual that is a qualified beneficiary that—</text>

<clause id="H660C717BF8C841BCB8B67486697C1328"><enum>(i)</enum><text display-inline="yes-display-inline">is eligible for COBRA continuation coverage by reason of a qualifying event specified in section 603(2) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(3)(B) of the Internal Revenue Code of 1986, section 2203(2) of the Public Health Service Act, or section 8905a of title 5, United States Code (except for the voluntary termination of such individual—s employment by such individual); and</text></clause>

<clause id="H54AB6F67FDD74DB38B9DE398DD976FE1"><enum>(ii)</enum><text display-inline="yes-display-inline">elects such coverage; or</text></clause></subparagraph>

<subparagraph id="H345CF8AFE3F241199F5508FF655B116F"><enum>(B)</enum><text display-inline="yes-display-inline">any covered employee that is in a furlough period that remains eligible for coverage under a group health plan offered by the employer of such covered employee.</text></subparagraph></paragraph>

<paragraph id="HB1A57870C6C44C21A570DE7F90E80758"><enum>(4)</enum><header>Extension of election period and effect on coverage</header>

<subparagraph id="H7527CB75BCD8446A8C7EC8B2D3DEBB4E"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">For purposes of applying section 605(a) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(5)(A) of the Internal Revenue Code of 1986, section 2205(a) of the Public Health Service Act, and section 8905a(c)(2) of title 5, United States Code, in the case of—</text>

<clause id="H1FD9606DA70E46AFA8193A0DC369D734"><enum>(i)</enum><text>an individual who does not have an election of COBRA continuation coverage in effect on the date of the enactment of this Act but who would be an assistance eligible individual described in paragraph (3)(A) if such election were so in effect; or</text></clause>

<clause id="H743EEC80F22040318919CE6011C8E476"><enum>(ii)</enum><text display-inline="yes-display-inline">an individual who elected COBRA continuation coverage on or after March 1, 2020, and discontinued from such coverage before the date of the enactment of this Act, </text></clause><continuation-text continuation-text-level="subparagraph">such individual may elect the COBRA continuation coverage under the COBRA continuation coverage provisions containing such provisions during the period beginning on the date of the enactment of this Act and ending 60 days after the date on which the notification required under paragraph (7)(C) is provided to such individual.</continuation-text></subparagraph>

<subparagraph id="H9DD6A44696204E9EAA8E65E80C07196D"><enum>(B)</enum><header>Commencement of COBRA continuation coverage</header><text display-inline="yes-display-inline">Any COBRA

continuation coverage elected by a qualified beneficiary during an extended election period under subparagraph (A)â€

<clause id="HAC4F3AF855DD44CF97A4F2A724BEEBFA"><enum>(i)</enum><text display-inline="yes-display-inline">shall apply as if such qualified beneficiary had been covered as of the date of a qualifying event specified in section 603(2) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(3)(B) of the Internal Revenue Code of 1986, section 2203(2) of the Public Health Service Act, or section 8905a of title 5, United States Code, except for the voluntary termination of such beneficiaryâ€™s employment by such beneficiary, that occurs no earlier than March 1, 2020 (including the treatment of premium payments under paragraph (1)(A) and any cost-sharing requirements for items and services under a group health plan); and</text></clause>

<clause id="HD9647DAFDC4443C39E98E5E0422D3093"><enum>(ii)</enum><text display-inline="yes-display-inline">shall not extend beyond the period of COBRA continuation coverage that would have been required under the applicable COBRA continuation coverage provision if the coverage had been elected as required under such provision.</text></clause></subparagraph></paragraph>

<paragraph id="H63A6413D06454F7C9FD540C97C33ED17"><enum>(5)</enum><header>Expedited review of denials of premium assistance</header><text display-inline="yes-display-inline">In any case in which an individual requests treatment as an assistance eligible individual described in subparagraph (A) or (B) of paragraph (3) and is denied such treatment by the group health plan, the Secretary of Labor (or the Secretary of Health and Human Services in connection with COBRA continuation coverage which is provided other than pursuant to part 6 of subtitle B of title I of the Employee Retirement Income Security Act of 1974), in consultation with the Secretary of the Treasury, shall provide for expedited review of such denial. An individual shall be entitled to such review upon application to such Secretary in such form and manner as shall be provided by such Secretary, in consultation with the Secretary of Treasury. Such Secretary shall make a determination regarding such individual's eligibility within 15 business days after receipt of such individual's application for review under this paragraph. Either Secretaryâ€™s determination upon review of the denial shall be de novo and shall be the final determination of such Secretary. A reviewing court shall grant deference to such Secretary's determination. The provisions of this paragraph, paragraphs (1) through (4), and paragraphs (7) through (9) shall be treated as provisions of title I of the Employee Retirement Income Security Act of 1974 for purposes of part 5 of subtitle B of such title.</text></paragraph>

<paragraph id="H646FC9B7410F4188B86EEF25274F24E3"><enum>(6)</enum><header>Disregard of subsidies for purposes of federal and state programs</header><text display-inline="yes-display-inline">Notwithstanding any other provision of law, any premium assistance with respect to an assistance eligible individual under this subsection shall not be considered income, in-kind support, or resources for purposes of determining the eligibility of the recipient (or the recipientâ€™s spouse or family) for benefits or assistance, or the amount or extent of benefits or assistance, or any other benefit provided under any Federal program or any program of a State or political subdivision thereof financed in whole or in part with Federal funds.</text></paragraph>

<paragraph id="H5C366D417A97488B8CDB5640256A0782"><enum>(7)</enum><header>COBRA-specific notice</header>

<subparagraph id="HBFBF1CE8C6884A418BF7B673210DF27D"><enum>(A)</enum><header>General notice</header>

<clause id="HD56ACAC355EC4C7D8EE66CB5D17892B3"><enum>(i)</enum><header>In general</header><text display-inline="yes-display-inline">In the case of notices provided under section 606(a)(4) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(4)), section 4980B(f)(6)(D) of the Internal Revenue Code of 1986, section 2206(4) of the Public Health Service Act (42 U.S.C. 300bbâ€"6(4)), or section 8905a(f)(2)(A) of title 5, United States Code, with respect to individuals who, during the period described in paragraph (3), become entitled to elect COBRA continuation coverage, the requirements of such provisions shall not be treated as met unless such notices include an additional notification to the recipient a written notice in clear and understandable language ofâ€

<subclause id="H99F67DD9CF444DE7BF53B7346C817D22"><enum>(I)</enum><text display-inline="yes-display-inline">the availability of premium assistance with respect to such

coverage under this subsection; and</text></subclause>

<subclause id="H1C46E837A1134AF689AA1524485E22EB"><enum>(II)</enum><text display-inline="yes-display-inline">the option to enroll in different coverage if the employer permits assistance eligible individuals described in paragraph (3) (A) to elect enrollment in different coverage (as described in paragraph (1) (B)).</text></subclause></clause>

<clause id="H6BDE9D098D8448F18705E41E38A13B07"><enum>(ii)</enum><header>Alternative notice</header><text display-inline="yes-display-inline">In the case of COBRA continuation coverage to which the notice provision under such sections does not apply, the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall, in consultation with administrators of the group health plans (or other entities) that provide or administer the COBRA continuation coverage involved, provide rules requiring the provision of such notice.</text></clause>

<clause id="HF1935B134EFF44DB878EE0F40A33155F"><enum>(iii)</enum><header>Form</header><text display-inline="yes-display-inline">The requirement of the additional notification under this subparagraph may be met by amendment of existing notice forms or by inclusion of a separate document with the notice otherwise required.</text></clause></subparagraph>

<subparagraph id="H037CE8B7645B437CAD6A16DED4BF59CC"><enum>(B)</enum><header>Specific requirements</header><text display-inline="yes-display-inline">Each additional notification under subparagraph (A) shall includeâ€</text>

<clause id="H33C5CF212F874CEB8B03B47120EFC252"><enum>(i)</enum><text display-inline="yes-display-inline">the forms necessary for establishing eligibility for premium assistance under this subsection;</text></clause>

<clause id="H11DF80F3E147443481BC13410F186362"><enum>(ii)</enum><text>the name, address, and telephone number necessary to contact the plan administrator and any other person maintaining relevant information in connection with such premium assistance;</text></clause>

<clause id="HBA5A214B6E864BF2BE6979E832445D29"><enum>(iii)</enum><text>a description of the extended election period provided for in paragraph (4) (A);</text></clause>

<clause id="HFD04FD56028D4142B448AFBB56E0287B"><enum>(iv)</enum><text>a description of the obligation of the qualified beneficiary under paragraph (2) (B) and the penalty provided under section 6720C of the Internal Revenue Code of 1986 for failure to carry out the obligation;</text></clause>

<clause id="HC1500E02AD704C2A9426F2CE04A08869"><enum>(v)</enum><text>a description, displayed in a prominent manner, of the qualified beneficiary's right to a reduced premium and any conditions on entitlement to the reduced premium;</text></clause>

<clause id="H3CF4884E096F4841869D1A6B3374A839"><enum>(vi)</enum><text>a description of the option of the qualified beneficiary to enroll in different coverage if the employer permits such beneficiary to elect to enroll in such different coverage under paragraph (1) (B); and</text></clause>

<clause id="H4F1CA57790234397AA8E2FF47B028344"><enum>(vii)</enum><text display-inline="yes-display-inline">information regarding any Exchange established under title I of the Patient Protection and Affordable Care Act (42 U.S.C. 18001 et seq.) through which a qualified beneficiary may be eligible to enroll in a qualified health plan, includingâ€</text>

<subclause id="HB4EF6E6C377C41FC813CC94C42AD1286"><enum>(I)</enum><text display-inline="yes-display-inline">the publicly accessible internet website address for such Exchange; </text></subclause>

<subclause id="H5DC507D1B49F464CBF1F591885E45345"><enum>(II)</enum><text>the publicly accessible internet website address for the Find Local Help directory maintained by the Department of Health and Human Services on the healthcare.gov internet website (or a successor website); </text></subclause>

<subclause id="HFF500D8043394F7D89A28E49D3B13F4E"><enum>(III)</enum><text>a clear explanation thatâ€</text>

<item id="HD0552EAFF39B4DCA9E01CAAB9E3F1ABA" commented="no"><enum>(aa)</enum><text display-inline="yes-display-inline">an individual who is eligible for continuation coverage may also be eligible to enroll, with financial assistance, in a qualified health plan offered through such Exchange, but, in the case that such individual elects to enroll in such continuation coverage and subsequently elects to terminate such continuation coverage before the period of such continuation coverage expires, such termination does not initiate a special enrollment period (absent a qualifying event specified in section 603(2) of the Employee Retirement Income Security Act of 1974, section 4980B(f)(3)(B) of the Internal Revenue Code of 1986, section 2203(2) of the Public Health Service Act, or section 8905a of title 5, United States Code, with respect to such individual); and</text></item>

<item id="H12A5EF7019B5461C894052D215CFD51B"><enum>(bb)</enum><text>an individual who elects to enroll in continuation coverage will remain eligible to enroll in a qualified health plan offered through such Exchange during an open enrollment period and may be eligible for financial assistance with respect to enrolling in such a qualified health plan; </text></item></subclause>

<subclause id="H2F62C42D791C4342874261CB06D46E56"><enum>(IV)</enum><text>information on consumer protections with respect to enrolling in a qualified health plan offered through such Exchange, including the requirement for such a qualified health plan to provide coverage for essential health benefits (as defined in section 1302(b) of such Act (42 U.S.C. 18022(b))) and the requirements applicable to such a qualified health plan under part A of title XXVII of the Public Health Service Act (42 U.S.C. 300gg et seq.);</text></subclause>

<subclause id="H71F25B8221D8443FAD71E0B73E06BD57"><enum>(V)</enum><text>information on the availability of financial assistance with respect to enrolling in a qualified health plan, including the maximum income limit for eligibility for the premium tax credit under section 36B of the Internal Revenue Code of 1986; and</text></subclause>

<subclause id="H5C5B215ACEF045C29E600E53A770DBB4"><enum>(VI)</enum><text display-inline="yes-display-inline">information on any special enrollment periods during which any assistance eligible individual described in paragraph (3)(A)(i) may be eligible to enroll, with financial assistance, in a qualified health plan offered through such Exchange (including a special enrollment period for which an individual may be eligible due to the expiration of premium assistance pursuant to a limitation specified under paragraph (2)(A)).</text></subclause></clause></subparagraph>

<subparagraph id="HB6A67F2780B3479399BC486FCA2CA974"><enum>(C)</enum><header>Notice in connection with extended election periods</header><text display-inline="yes-display-inline">In the case of any assistance eligible individual described in paragraph (3)(A) (or any individual described in paragraph (4)(A)) who became entitled to elect COBRA continuation coverage before the date of the enactment of this Act, the administrator of the applicable group health plan (or other entity) shall provide (within 60 days after the date of enactment of this Act) for the additional notification required to be provided under subparagraph (A) and failure to provide such notice shall be treated as a failure to meet the notice requirements under the applicable COBRA continuation provision.</text></subparagraph>

<subparagraph id="H7D2639A5E88A4AC6BF0A1EE91EAC6ECD"><enum>(D)</enum><header>Model notices</header><text display-inline="yes-display-inline">Not later than 30 days after the date of enactment of this Act, with respect to any assistance eligible individual described in paragraph (3)(A)—</text>

<clause id="HBF8AFB65D34F43D5824B90E13325A4E1"><enum>(i)</enum><text display-inline="yes-display-inline">the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall prescribe models for the additional notification required under this paragraph (other than the additional notification described in clause (ii)); and</text></clause>

<clause id="H80ABDDDF25D24D7FA1AFC9AEBAAAF440"><enum>(ii)</enum><text>in the case of any additional notification provided pursuant to subparagraph (A) under section 8905a(f)(2)(A) of title 5, United States Code, the Office of Personnel Management shall prescribe a model for such additional notification.</text></clause></subparagraph></paragraph>

<paragraph id="H5CEB4767BC404360B5E2AE9DB71221CF"><enum>(8)</enum><header>Furlough-specific notice</header>

<subparagraph id="HCC05BAAD0CB74D4585755D14AE18DA4C"><enum>(A)</enum><header>In general</header><text>With respect to any assistance eligible individual described in paragraph (3) (B) who, during the period described in such paragraph, becomes eligible for assistance pursuant to paragraph (1) (A) (ii), the requirements of section 606(a) (4) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(4)), section 4980B(f) (6) (D) of the Internal Revenue Code of 1986, section 2206(4) of the Public Health Service Act (42 U.S.C. 300bbâ€"6(4)), or section 8905a(f) (2) (A) of title 5, United States Code, shall not be treated as met unless the group health plan administrator, in accordance with the timing requirement specified under subparagraph (B), provides to the individual a written notice in clear and understandable language ofâ€" </text>

<clause id="H3F45AD30097C43158D622B00B1766654"><enum>(i)</enum><text>the availability of premium assistance with respect to such coverage under this subsection; </text></clause>

<clause id="HB0DD32EBC4A54E01BE827DF0A8E3E189"><enum>(ii)</enum><text>the option of the qualified beneficiary to enroll in different coverage if the employer permits such beneficiary to elect to enroll in such different coverage under paragraph (1) (B); and</text></clause>

<clause id="H4DC3DCF635C84B4C95D5D1C679E8DCE1"><enum>(iii)</enum><text>the information specified under paragraph (7) (B) (as applicable).</text></clause></subparagraph>

<subparagraph id="HC70B1394C37C4F13BAA8E1A715E86018" commented="no"><enum>(B)</enum><header>Timing specified</header><text>For purposes of subparagraph (A), the timing requirement specified in this subparagraph isâ€" </text>

<clause id="H6790A0628E204A91AF40CEA4D8FCD2" commented="no"><enum>(i)</enum><text>with respect to such an individual who is within a furlough period during the period beginning on March 1, 2020, and ending on the date of the enactment of this Act, 30 days after the date of such enactment; and</text></clause>

<clause id="HCAF71DD53947453CB15AF1BB7D6D0862" commented="no"><enum>(ii)</enum><text>with respect to such an individual who is within a furlough period during the period beginning on the first day after the date of the enactment of this Act and ending on January 31, 2021, 30 days after the date of the beginning of such furlough period.</text></clause></subparagraph>

<subparagraph id="HCFD8CA39C0C445768867ED5DCB51466C" display-inline="no-display-inline"><enum>(C)</enum><header>Model notices</header><text display-inline="yes-display-inline">Not later than 30 days after the date of enactment of this Act, with respect to any assistance eligible individual described in paragraph (3) (B)â€" </text>

<clause id="H43162465327D4C5C84A03043449F6BCF"><enum>(i)</enum><text display-inline="yes-display-inline">the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall prescribe models for the notification required under this paragraph (other than the notification described in clause (ii)); and</text></clause>

<clause id="H894D290D590B4B928FBE067BD3C95C01"><enum>(ii)</enum><text>in the case of any notification provided pursuant to subparagraph (A) under section 8905a(f) (2) (A) of title 5, United States Code, the Office of Personnel Management shall prescribe a model for such notification.</text></clause></subparagraph></paragraph>

<paragraph id="H2602E36E7CB54558976441D10236783A" commented="no"><enum>(9)</enum><header>Notice of expiration of period of premium assistance</header>

<subparagraph id="H62053C0B34254BA1A660CE0BF7CEADD1" commented="no"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">With respect to any assistance eligible individual, subject to subparagraph (B), the requirements of section 606(a) (4) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1166(4)), section 4980B(f) (6) (D) of the Internal Revenue Code of 1986, section 2206(4) of the Public Health Service Act (42 U.S.C. 300bbâ€"6(4)), or section 8905a(f) (2) (A) of title 5, United States Code, shall not be treated as met unless the employer of the individual, during the period specified under subparagraph (C), provides to such individual a written notice in clear and understandable languageâ€" </text>

<clause id="H51598F03FBA34BEC9112640CD7C84917" commented="no" display-inline="no-display-inline"><enum>(i)</enum><text>that the premium assistance for such individual will expire soon and the prominent identification of the date of such expiration;</text></clause>

<clause id="H0DA80A0C6D5F4DE1B3B6B738BFDFD16B"><enum>(ii)</enum><text display-inline="yes-display-inline">that such individual may be eligible for coverage without any premium assistance throughâ€"</text>

<subclause id="H7429B6FABD36468B821C4E21E51F55F6"><enum>(I)</enum><text>COBRA continuation coverage; or</text></subclause>

<subclause id="H3914E1A9960146A09C1C3B0B07FFE388"><enum>(II)</enum><text display-inline="yes-display-inline">coverage under a group health plan;</text></subclause></clause>

<clause id="HF214F7F3693E401784BCF1F0489E2CA8"><enum>(iii)</enum><text display-inline="yes-display-inline">that the expiration of premium assistance is treated as a qualifying event for which any assistance eligible individual is eligible to enroll in a qualified health plan offered through an Exchange under title I of such Act (42 U.S.C. 18001 et seq.) during a special enrollment period; and</text></clause>

<clause id="HA8F61770AA284C7282DBEB2C6AB8176B"><enum>(iv)</enum><text>the information specified in paragraph (7) (B) (vii).</text></clause></subparagraph>

<subparagraph id="H85C38E6F03594F44BB858E41B7AD8BDC" commented="no"><enum>(B)</enum><header>Exception</header><text display-inline="yes-display-inline">The requirement for the group health plan administrator to provide the written notice under subparagraph (A) shall be waived in the case the premium assistance for such individual expires pursuant to clause (i) (I) or (ii) (I) of paragraph (2) (A).</text></subparagraph>

<subparagraph id="H79847B7E835F465C8C3CDC0CED87325F" commented="no"><enum>(C)</enum><header>Period specified</header><text>For purposes of subparagraph (A), the period specified in this subparagraph is, with respect to the date of expiration of premium assistance for any assistance eligible individual pursuant to a limitation requiring a notice under this paragraph, the period beginning on the day that is 45 days before the date of such expiration and ending on the day that is 15 days before the date of such expiration. </text></subparagraph>

<subparagraph id="H655A3C5444DC4935B361308841ABD390" display-inline="no-display-inline"><enum>(D)</enum><header>Model notices</header><text display-inline="yes-display-inline">Not later than 30 days after the date of enactment of this Act, with respect to any assistance eligible individualâ€"</text>

<clause id="HF139D226F5434818BF70F5F60674A8B9"><enum>(i)</enum><text display-inline="yes-display-inline">the Secretary of Labor, in consultation with the Secretary of the Treasury and the Secretary of Health and Human Services, shall prescribe models for the notification required under this paragraph (other than the notification described in clause (ii)); and</text></clause>

<clause id="HFDB80DD4CE894077B5924988CF6E9C1B"><enum>(ii)</enum><text>in the case of any notification provided pursuant to subparagraph (A) under section 8905a(f) (2) (A) of title 5, United States Code, the Office of Personnel Management shall prescribe a model for such notification.</text></clause></subparagraph></paragraph>

<paragraph id="H531E0F86080C4394A5D09D9328B2C450"><enum>(10)</enum><header>Regulations</header><text display-inline="yes-display-inline">The Secretary of the Treasury and the Secretary of Labor may jointly prescribe such regulations or other guidance as may be necessary or appropriate to carry out the provisions of this subsection, including the prevention of fraud and abuse under this subsection, except that the Secretary of Labor and the Secretary of Health and Human Services may prescribe such regulations (including interim final regulations) or other guidance as may be necessary or appropriate to carry out the provisions of paragraphs (5), (7), (8), (9), and (11).</text></paragraph>

<paragraph id="HDEAB7C112604402DA498F5ED39DB03FF"><enum>(11)</enum><header>Outreach</header>

<subparagraph id="H509D2CA5BA05451AA5AE814949CAD655"><enum>(A)</enum><header>In general</header><text>The Secretary of Labor, in consultation with the Secretary of the

Treasury and the Secretary of Health and Human Services, shall provide outreach consisting of public education and enrollment assistance relating to premium assistance provided under this subsection. Such outreach shall target employers, group health plan administrators, public assistance programs, States, insurers, and other entities as determined appropriate by such Secretaries. Such outreach shall include an initial focus on those individuals electing continuation coverage who are referred to in paragraph (7)(C). Information on such premium assistance, including enrollment, shall also be made available on websites of the Departments of Labor, Treasury, and Health and Human Services.

(B) **Enrollment under Medicare**
The Secretary of Health and Human Services shall provide outreach consisting of public education. Such outreach shall target individuals who lose health insurance coverage. Such outreach shall include information regarding enrollment for benefits under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) for purposes of preventing mistaken delays of such enrollment by such individuals, including lifetime penalties for failure of timely enrollment.

(12) **Definitions**
For purposes of this section:

(A) **Administrator**
The term **administrator** has the meaning given such term in section 3(16)(A) of the Employee Retirement Income Security Act of 1974.

(B) **COBRA continuation coverage**
The term **COBRA continuation coverage** means continuation coverage provided pursuant to part 6 of subtitle B of title I of the Employee Retirement Income Security Act of 1974 (other than under section 609), title XXII of the Public Health Service Act, section 4980B of the Internal Revenue Code of 1986 (other than subsection (f)(1) of such section insofar as it relates to pediatric vaccines), or section 8905a of title 5, United States Code, or under a State program that provides comparable continuation coverage. Such term does not include coverage under a health flexible spending arrangement under a cafeteria plan within the meaning of section 125 of the Internal Revenue Code of 1986.

(C) **COBRA continuation provision**
The term **COBRA continuation provision** means the provisions of law described in subparagraph (B).

(D) **Covered employee**
The term **covered employee** has the meaning given such term in section 607(2) of the Employee Retirement Income Security Act of 1974.

(E) **Qualified beneficiary**
The term **qualified beneficiary** has the meaning given such term in section 607(3) of the Employee Retirement Income Security Act of 1974.

(F) **Group health plan**
The term **group health plan** has the meaning given such term in section 607(1) of the Employee Retirement Income Security Act of 1974.

(G) **State**
The term **State** includes the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(H) **Period of coverage**
Any reference in this subsection to a period of coverage shall be treated as a reference to a monthly or shorter period of coverage with respect to which premiums are charged with respect to such coverage.

<subparagraph id="H377B1CA0C8B5441CBE4B921EEA4DFEC4"><enum>(I)</enum><header>Plan sponsor</header><text display-inline="yes-display-inline">The term <term>plan sponsor</term> has the meaning given such term in section 3(16)(B) of the Employee Retirement Income Security Act of 1974.</text></subparagraph>

<subparagraph id="HD70BC771DD444297BFECBB1EB64389DA"><enum>(J)</enum><header>Furlough period</header>

<clause id="H63F1EBFCEC3C446AB5F71BD156FBF235"><enum>(i)</enum><header>In general</header><text>The term <term>furlough period</term> means, with respect to an individual and an employer of such individual, a periodâ€

<subclause id="H0001E163376C464E9681A41552A3FB2A"><enum>(I)</enum><text display-inline="yes-display-inline">beginning with the first month beginning on or after March 1, 2020 and before January 31, 2021, during which such individualâ€™s employer reduces such individualâ€™s work hours (due to a lack of work, funds, or other nondisciplinary reason) to an amount that is less than 70 percent of the base month amount; and</text></subclause>

<subclause id="H74C45632CFD3494F872505B3027BED36"><enum>(II)</enum><text display-inline="yes-display-inline">ending with the earlier ofâ€

<item id="H13D0B749278D4635834A8820F38D6311"><enum>(aa)</enum><text display-inline="yes-display-inline">the first month beginning after January 31, 2021; or</text></item>

<item id="HE37680D0DFC94A328ED24B13DF5D70B1"><enum>(bb)</enum><text display-inline="yes-display-inline">the month following the first month during which work hours of such employee are greater than 80 percent of work hours of the base month amount.</text></item></subclause></clause>

<clause id="HD2847F9E07E34C14A1FF27A711949AF6"><enum>(ii)</enum><header>Base month amount</header><text display-inline="yes-display-inline">For purposes of clause (i), the term <term>base month amount</term> means, with respect to an individual and an employer of such individual, the greater ofâ€

<subclause id="HE3FE3F310FB44DA89B816A988769E09D"><enum>(I)</enum><text display-inline="yes-display-inline">such individualâ€™s work hours in the month prior (or in the case such individual had no work hours in the month prior and had work hours in the 3 months prior, the last month with work hours within the prior 3 months); and</text></subclause>

<subclause id="H8D218A8F4B424FE9BB8238BAD0EB234D"><enum>(II)</enum><text display-inline="yes-display-inline">such individualâ€™s work hours during the period beginning January 1, 2020 and ending January 31, 2020.</text></subclause></clause></subparagraph></paragraph>

<paragraph id="HAF51A73D3104003A9DE46F443E3889A"><enum>(13)</enum><header>Reports</header>

<subparagraph id="HFD2BF73D16544031B07EFF20E1EF820F"><enum>(A)</enum><header>Interim report</header><text display-inline="yes-display-inline">The Secretary of the Treasury and the Secretary of Labor shall jointly submit an interim report to the Committee on Education and Labor, the Committee on Ways and Means, and the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate regarding the premium assistance provided under this subsection that includesâ€

<clause id="HE56F0799E6E54E0290E6EA32467C0C38"><enum>(i)</enum><text display-inline="yes-display-inline">the number of individuals provided such assistance as of the date of the report; and</text></clause>

<clause id="HFD984DD2EE4146E8978BD2DA8BFD1763"><enum>(ii)</enum><text>the total amount of expenditures incurred (with administrative expenditures noted separately) in connection with such assistance as of the date of the report.</text></clause></subparagraph>

<subparagraph id="H3543451E7AEB4F2090D408517F3C13AA"><enum>(B)</enum><header>Final report</header><text display-inline="yes-display-inline">As soon as practicable after the last period of COBRA continuation coverage for which premium assistance is provided under this section, the Secretary of the Treasury and the Secretary of Labor shall

jointly submit a final report to each Committee referred to in subparagraph (A) that includesâ€

<clause id="HD7B0167DB06947E583A4EA1AEB885531"><enum>(i)</enum><text display-inline="yes-display-inline">the number of individuals provided premium assistance under this section;</text></clause>

<clause id="H4CAB035A378743BBB952D45E6144571E"><enum>(ii)</enum><text>the average dollar amount (monthly and annually) of premium assistance provided to such individuals; and</text></clause>

<clause id="H45818485513B405C8CC75D625B951B26"><enum>(iii)</enum><text>the total amount of expenditures incurred (with administrative expenditures noted separately) in connection with premium assistance under this section.</text></clause></subparagraph></paragraph>

<paragraph id="H036954759AD747128BD04CCF98FA9BC5" commented="no"><enum>(14)</enum><header>COBRA premium assistance</header>

<subparagraph id="H9143208B9A0843DDA18FAAD56D22F741" commented="no"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">Subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section:</text>

<quoted-block style="OLC" id="H5211C111DC4B4E4089F393F5452E6469" display-inline="no-display-inline">

<section id="H6CAD7AFBE0124552B5705A4880946C62" commented="no"><enum>6432.</enum><header>Continuation coverage premium assistance</header>

<subsection id="HBD2F34EC515F445F8231E9EC67A59EA9" commented="no"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The person to whom premiums are payable for continuation coverage under section 30312(a) (1) of the Worker Health Coverage Protection Act shall be allowed as a credit against the tax imposed by section 3111(a), or so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(a), for each calendar quarter an amount equal to the premiums not paid by assistance eligible individuals for such coverage by reason of such section 30312(a) (1) with respect to such calendar quarter.</text></subsection>

<subsection id="H4712C3201AD4491CB5890EC5B7C9478D" commented="no"><enum>(b)</enum><header>Person to whom premiums are payable</header><text display-inline="yes-display-inline">For purposes of subsection (a), except as otherwise provided by the Secretary, the person to whom premiums are payable under such continuation coverage shall be treated as beingâ€

<paragraph id="HE88E216A797B43289C051B091B413450" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">in the case of any group health plan which is a multiemployer plan (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974), the plan,</text></paragraph>

<paragraph id="H50139BD42C484AA089B12426484DEAF9" commented="no"><enum>(2)</enum><text display-inline="yes-display-inline">in the case of any group health plan not described in paragraph (1)â€

<subparagraph id="H8A56CF4331D242BFA8F070767F56E14D" commented="no"><enum>(A)</enum><text display-inline="yes-display-inline">which provides furlough continuation coverage described in section 30312(a) (1) (A) (ii) of the Worker Health Coverage Protection Act or subject to the COBRA continuation provisions contained inâ€

<clause id="H9FF701A1D75C42AE91FBC4683C79EC5A" commented="no"><enum>(i)</enum><text display-inline="yes-display-inline">this title,</text></clause>

<clause id="HF6C58167AE5D4952A5578F14ED69E2D7" commented="no"><enum>(ii)</enum><text display-inline="yes-display-inline">the Employee Retirement Income Security Act of 1974,</text></clause>

<clause id="H312E953399FE4635B12AF0035A6593E2" commented="no"><enum>(iii)</enum><text display-inline="yes-display-inline">the Public Health Service Act, or</text></clause>

<clause id="H803EDEF5D1FD4B88BEFB56C5A1F31A05" commented="no"><enum>(iv)</enum><text display-inline="yes-display-inline">title 5, United States Code, or</text></clause></subparagraph>

<subparagraph id="HF4F8B8F69BD64215AF837C5D896CA451" commented="no"><enum>(B)</enum><text display-inline="yes-display-inline">under which some or all of the coverage is not provided by insurance,</text></subparagraph><continuation-text continuation-text-level="paragraph" commented="no">the employer maintaining the plan, and </continuation-text></paragraph>

<paragraph id="H9DC1AC6A17774864894275DEB72B29D5" commented="no"><enum>(3)</enum><text display-inline="yes-display-inline">in the case of any group health plan not described in paragraph (1) or (2), the insurer providing the coverage under the group health plan.</text></paragraph></subsection>

<subsection id="HE1329C7FA7864872AD9CDFA04A7014B3"><enum>(c)</enum><header>Limitations and refundability</header>

<paragraph id="H42101CA19F9C4273B069C75CDB7A5E94"><enum>(1)</enum><header>Credit limited to certain employment taxes</header><text display-inline="yes-display-inline">The credit allowed by subsection (a) with respect to any calendar quarter shall not exceed the tax imposed by section 3111(a), or so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(a), for such calendar quarter (reduced by any credits allowed under subsections (e) and (f) of section 3111, sections 7001 and 7003 of the Families First Coronavirus Response Act, section 2301 of the CARES Act, and sections 20204 and 20212 of the COVIDâ€"19 Tax Relief Act of 2020 for such quarter) on the wages paid with respect to the employment of all employees of the employer.</text></paragraph>

<paragraph id="H3128AA0B9D8D42E691547136BB18C265"><enum>(2)</enum><header>Refundability of excess credit</header>

<subparagraph id="HC5987237E6FA4325BA8D912F0533663F"><enum>(A)</enum><header>Credit is refundable</header><text>If the amount of the credit under subsection (a) exceeds the limitation of paragraph (1) for any calendar quarter, such excess shall be treated as an overpayment that shall be refunded under sections 6402(a) and 6413(b).</text></subparagraph>

<subparagraph id="HE1476E0DF1114EFD9CFA2E5E1E20D374"><enum>(B)</enum><header>Credit may be advanced</header><text>In anticipation of the credit, including the refundable portion under subparagraph (A), the credit may be advanced, according to forms and instructions provided by the Secretary, up to an amount calculated under subsection (a) through the end of the most recent payroll period in the quarter.</text></subparagraph>

<subparagraph id="H6B72C1E0AA394C3DB9297F67725B4F39"><enum>(C)</enum><header>Treatment of deposits</header><text display-inline="yes-display-inline">The Secretary shall waive any penalty under section 6656 for any failure to make a deposit of the tax imposed by section 3111(a), or so much of the taxes imposed under section 3221(a) as are attributable to the rate in effect under section 3111(a), if the Secretary determines that such failure was due to the anticipation of the credit allowed under this section.</text></subparagraph>

<subparagraph id="HDC51681F4F0F4983B1381838F1A331B0"><enum>(D)</enum><header>Treatment of payments</header><text>For purposes of section 1324 of title 31, United States Code, any amounts due to an employer under this paragraph shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b) (2) of such section.</text></subparagraph></paragraph>

<paragraph id="H4CD166030E4949AE9E745394F5BF418F"><enum>(3)</enum><header>Limitation on reimbursement for furloughed employees</header><text display-inline="yes-display-inline">In the case of an individual who for any month is an assistance eligible individual described in section 30312(a) (3) (B) of the Worker Health Coverage Protection Act with respect to any coverage, the credit determined with respect to such individual under subsection (a) for any such month ending during a calendar quarter shall not exceed the amount of premium the individual would have paid for a full month of such coverage for the month preceding the first month for which an individual is such an assistance eligible individual. </text></paragraph></subsection>

<subsection id="H804DAC2ED532411AB60F67D497C89DED" commented="no"><enum>(d)</enum><header>Governmental entities</header><text display-

inline="yes-display-inline">For purposes of this section, the term <term>person</term> includes any governmental entity or Indian tribal government (as defined in section 139E(c)(1)).</text></subsection>

<subsection id="H6E375806D5164D37B2DAAF15E3EEF731"><enum>(e)</enum><header>Denial of double benefit</header><text display-inline="yes-display-inline">For purposes of chapter 1, the gross income of any person allowed a credit under this section shall be increased for the taxable year which includes the last day of any calendar quarter with respect to which such credit is allowed by the amount of such credit. No amount for which a credit is allowed under this section shall be taken into account as qualified wages under section 2301 of the CARES Act or as qualified health plan expenses under section 7001(d) or 7003(d) of the Families First Coronavirus Response Act.</text></subsection>

<subsection id="H64B54C257AF54CE2A701D7F41BC9F521" commented="no"><enum>(f)</enum><header>Reporting</header><text display-inline="yes-display-inline">Each person entitled to reimbursement under subsection (a) for any period shall submit such reports (at such time and in such manner) as the Secretary may require, includingâ€</text>

<paragraph id="H5924F3224CC7455686A47F3D128ACC63" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">an attestation of involuntary termination of employment, reduction of hours, or furloughing, for each assistance eligible individual on the basis of whose termination, reduction of hours, or furloughing entitlement to reimbursement is claimed under subsection (a),</text></paragraph>

<paragraph id="H4A3A076238C04F69A6BA08C7DEED4CDA" commented="no"><enum>(2)</enum><text display-inline="yes-display-inline">a report of the amount of payroll taxes offset under subsection (a) for the reporting period, and</text></paragraph>

<paragraph id="H3422D6236B044304BCF8F02AFD1385E0" commented="no"><enum>(3)</enum><text display-inline="yes-display-inline">a report containing the TINs of all covered employees, the amount of subsidy reimbursed with respect to each employee, and a designation with respect to each employee as to whether the subsidy reimbursement is for coverage of 1 individual or 2 or more individuals.</text></paragraph></subsection>

<subsection id="HF68F8DFBF6574777A5D3698671B86DBF" commented="no"><enum>(g)</enum><header>Regulations</header><text display-inline="yes-display-inline">The Secretary shall issue such regulations or other guidance as may be necessary or appropriate to carry out this section, includingâ€</text>

<paragraph id="H65977F1A297F49EBB6495AE7F955AA32" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">the requirement to report information or the establishment of other methods for verifying the correct amounts of reimbursements under this section,</text></paragraph>

<paragraph id="HCAF23E2F2C2A43B19E67452E7AEA338B" commented="no"><enum>(2)</enum><text display-inline="yes-display-inline">the application of this section to group health plans that are multiemployer plans (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974), </text></paragraph>

<paragraph id="HE426A9A710C24388884D24A45690A76B"><enum>(3)</enum><text display-inline="yes-display-inline">to allow the advance payment of the credit determined under subsection (a), subject to the limitations provided in this section, based on such information as the Secretary shall require,</text></paragraph>

<paragraph id="H22C3BF6982E74E86B2417CB225B065BC"><enum>(4)</enum><text>to provide for the reconciliation of such advance payment with the amount of the credit at the time of filing the return of tax for the applicable quarter or taxable year, and</text></paragraph>

<paragraph id="H474EAF8D358E461D8E5A84ACACED24C7"><enum>(5)</enum><text>with respect to the application of the credit to third party payors (including professional employer organizations, certified professional employer organizations, or agents under section 3504).</text></paragraph></subsection></section><after-quoted-block></after-quoted-block></quoted-block></subparagraph>

<subparagraph id="H800B3D9F1BDD40CDB002766B4669ED80" commented="no"><enum>(B)</enum><header>Social security trust funds held harmless</header><text display-inline="yes-display-inline">There are hereby

appropriated to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund established under section 201 of the Social Security Act (42 U.S.C. 401) and the Social Security Equivalent Benefit Account established under section 15A(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231nâ€"1(a)) amounts equal to the reduction in revenues to the Treasury by reason of this section (without regard to this subparagraph). Amounts appropriated by the preceding sentence shall be transferred from the general fund at such times and in such manner as to replicate to the extent possible the transfers which would have occurred to such Trust Fund or Account had this section not been enacted.</text></subparagraph>

<subparagraph id="H7C2E72287D6A4C13A006F2C4DFBFA812" commented="no"><enum>(C)</enum><header>Clerical amendment</header><text display-inline="yes-display-inline">The table of sections for subchapter B of chapter 65 of the Internal Revenue Code of 1986 is amended by adding at the end the following new item:</text>

<quoted-block style="OLC" id="HAC66A36C09494055AE72BDFB584E0269" display-inline="no-display-inline">

<toc regeneration="no-regeneration">

<toc-entry level="section">Sec. 6432. Continuation coverage premium assistance.</toc-entry></toc><after-quoted-block></after-quoted-block></quoted-block></subparagraph>

<subparagraph id="H556F192A13174BFDA2613F6C1A494898" commented="no"><enum>(D)</enum><header>Effective date</header><text display-inline="yes-display-inline">The amendments made by this paragraph shall apply to premiums to which subsection (a) (1) (A) applies.</text></subparagraph>

<subparagraph id="HB04E48169B154D48BDBF13D50076477E" commented="no"><enum>(E)</enum><header>Special rule in case of employee payment that is not required under this section</header>

<clause id="HED2B5FF6DFD24CE69FEC687E531792CD" commented="no"><enum>(i)</enum><header>In general</header><text display-inline="yes-display-inline">In the case of an assistance eligible individual who pays, with respect any period of coverage to which subsection (a) (1) (A) applies, the amount of the premium for such coverage that the individual would have (but for this Act) been required to pay, the person to whom such payment is payable shall reimburse such individual for the amount of such premium paid.</text></clause>

<clause id="H2A5BCB69382244C28127224A8B98DA55" commented="no"><enum>(ii)</enum><header>Credit of reimbursement</header><text display-inline="yes-display-inline">A person to which clause (i) applies shall be allowed a credit in the manner provided under section 6432 of the Internal Revenue Code of 1986 for any payment made to the employee under such clause.</text></clause>

<clause id="H0DA14A1B49BD4611981A11898F9B6E93" commented="no"><enum>(iii)</enum><header>Payment of credits</header><text display-inline="yes-display-inline">Any person to which clause (i) applies shall make the payment required under such clause to the individual not later than 60 days after the date on which such individual elects continuation coverage under section 30312(a) (1) of the <short-title>Worker Health Coverage Protection Act</short-title>.</text></clause></subparagraph></paragraph>

<paragraph id="H4648AACB97874C6E8FE60C249F344500"><enum>(15)</enum><header>Penalty for failure to notify health plan of cessation of eligibility for premium assistance</header>

<subparagraph id="H59FD632EEE87428D95D13038A1880EE5"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">Part I of subchapter B of chapter 68 of the Internal Revenue Code of 1986 is amended by adding at the end the following new section: </text>

<quoted-block style="OLC" id="HD877D498546C46ABA4A5E1530B51E374" display-inline="no-display-inline">

<section id="H093D117FFABA46CCBD7590CC40CD9511"><enum>6720C.</enum><header>Penalty for failure to notify health plan of cessation of eligibility for continuation coverage premium assistance</header>

<subsection id="H05EAE1C94B3C42A8B10023E061F06D0B"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Except in the case of failure described in subsection (b) or (c), any person required to notify a group health plan under section 30312(a)(2)(B) of the Worker Health Coverage Protection Act who fails to make such a notification at such time and in such manner as the Secretary of Labor may require shall pay a penalty of \$250.</text></subsection>

<subsection id="H1D35A19C34DC4D4F8A265808022FD6A1"><enum>(b)</enum><header>Intentional failure</header><text display-inline="yes-display-inline">In the case of any such failure that is fraudulent, such person shall pay a penalty equal to the greater ofâ€</text>

<paragraph id="H61118B207031470DBEDDF2F19F569C55"><enum>(1)</enum><text>\$250, or</text></paragraph>

<paragraph id="H7D8B752E5C0449CF8838969346C7AC3A"><enum>(2)</enum><text>110 percent of the premium assistance provided under section 30312(a)(1)(A) of such Act after termination of eligibility under such section.</text></paragraph></subsection>

<subsection id="H974A1ED05F1E4B79A5293646CE7770B5"><enum>(c)</enum><header>Reasonable cause exception</header><text display-inline="yes-display-inline">No penalty shall be imposed under this section with respect to any failure if it is shown that such failure is due to reasonable cause and not to willful neglect.</text></subsection></section><after-quoted-block>.</after-quoted-block></quoted-block></subparagraph>

<subparagraph id="H4A1DD03505A3438D935B6657E9E72E80"><enum>(B)</enum><header>Clerical amendment</header><text display-inline="yes-display-inline">The table of sections of part I of subchapter B of chapter 68 of such Code is amended by adding at the end the following new item:</text>

<quoted-block style="OLC" id="HF050124956B64158A19DD1EFFAC197D2" display-inline="no-display-inline">

<toc regeneration="no-regeneration">

<toc-entry level="section">Sec. 6720C. Penalty for failure to notify health plan of cessation of eligibility for continuation coverage premium assistance.</toc-entry></toc><after-quoted-block>.</after-quoted-block></quoted-block></subparagraph></paragraph>

<paragraph id="H83CFA6D901FC4B108FC1F631C773B545"><enum>(16)</enum><header>Coordination with HCTC</header>

<subparagraph id="H06EA47E72799470EAE8EE4419CE65593"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">Section 35(g)(9) of the Internal Revenue Code of 1986 is amended to read as follows: </text>

<quoted-block style="OLC" id="H20D89F775236408792A76A7167E0975C" display-inline="no-display-inline">

<paragraph id="H6E0804E18760416D8767489B0E7A61E5"><enum>(9)</enum><header>Continuation coverage premium assistance</header><text display-inline="yes-display-inline">In the case of an assistance eligible individual who receives premium assistance for continuation coverage under section 30312(a)(1) of the Worker Health Coverage Protection Act for any month during the taxable year, such individual shall not be treated as an eligible individual, a certified individual, or a qualifying family member for purposes of this section or section 7527 with respect to such month.</text></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></subparagraph>

<subparagraph id="H228AC727B4E4425FA13D592B6F8FCC81"><enum>(B)</enum><header>Effective date</header><text display-inline="yes-display-inline">The amendment made by subparagraph (A) shall apply to taxable years ending after the date of the enactment of this Act.</text></subparagraph></paragraph>

<paragraph id="HF58669DD6D31430B9015AB8B9ACB030C"><enum>(17)</enum><header>Exclusion of continuation coverage premium assistance from gross income</header>

<subparagraph id="H8A2D2229420E448AA4BC09DD61E2C9DA"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">Part III of subchapter B of

chapter 1 of the Internal Revenue Code of 1986 is amended by inserting after section 139H the following new section:</text>

<quoted-block style="OLC" id="H0C3975A0F8C94FCF98BD7023F5B1D986" display-inline="no-display-inline">

<section id="H6D6B912FEE074C23A6EB32C4699BA06D"><enum>139I.</enum><header>Continuation coverage premium assistance</header><text display-inline="no-display-inline">In the case of an assistance eligible individual (as defined in subsection (a)(3) of section 30312 of the Worker Health Coverage Protection Act), gross income does not include any premium assistance provided under subsection (a)(1) of such section.</text></section><after-quoted-block>.</after-quoted-block></quoted-block></subparagraph>

<subparagraph id="H13A0F534FF6D470980C8A9B2EAE7AD5A"><enum>(B)</enum><header>Clerical amendment</header><text display-inline="yes-display-inline">The table of sections for part III of subchapter B of chapter 1 of such Code is amended by inserting after the item relating to section 139H the following new item:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="H6AD668E54AF644A99E5E9DA5B8CD2877">

<toc regeneration="no-regeneration">

<toc-entry level="section">Sec. 139I. Continuation coverage premium assistance.</toc-entry></toc><after-quoted-block>.</after-quoted-block></quoted-block></subparagraph>

<subparagraph id="HFAD6D817DCD34A468AEB24616BF26243"><enum>(C)</enum><header>Effective date</header><text display-inline="yes-display-inline">The amendments made by this paragraph shall apply to taxable years ending after the date of the enactment of this Act.</text></subparagraph></paragraph>

<paragraph id="H1451E5CA20514265BAD11CBD442A2D19"><enum>(18)</enum><header>Deadlines with respect to notices</header><text>Notwithstanding section 518 of the Employee Retirement Income Security Act of 1974 and section 7508A of the Internal Revenue Code of 1986, the Secretary of Labor and the Secretary of the Treasury, respectively, may not waive or extend any deadline with respect to the provision of notices described in paragraphs (7), (8), and (9).</text></paragraph></subsection>

<subsection id="HB45AFE5168D04F88A6FB889D4D1C5BD3"><enum>(b)</enum><header>Rule of construction</header><text display-inline="yes-display-inline">In all matters of interpretation, rules, and operational procedures, the language of this section shall be interpreted broadly for the benefit of workers and their families.</text></subsection></section></subtitle></title>

<title id="H6F635B2EDD64422FB882F4D7584A8E4A"><enum>IV</enum><header>Application to Other Health Programs</header>

<section id="HF0BE4C86503E4FD0BC36B04FDFFA0720" section-type="subsequent-section"><enum>30401.</enum><header>Prohibition on copayments and cost sharing for TRICARE beneficiaries receiving COVIDâ€"19 treatment</header>

<subsection id="H715192B739C74A15B12AF22793254973"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Section 6006(a) of the Families First Coronavirus Response Act (Public Law 116â€"127; 38 U.S.C. 1074 note) is amended by striking <quote>or visits described in paragraph (2) of such section</quote> and inserting <quote>, visits described in paragraph (2) of such section, or medical care to treat COVIDâ€"19</quote>.</text></subsection>

<subsection id="H67BEFDB41CCF4A9AA86FD4F8CAB550C2"><enum>(b)</enum><header>Effective date</header><text display-inline="yes-display-inline">The amendment made by subsection (a) shall apply with respect to medical care furnished on or after the date of the enactment of this Act.</text></subsection></section>

<section id="H75C4AF434403419DB0F88FF06A8AAC08" section-type="subsequent-section"><enum>30402.</enum><header>Prohibition on copayments and cost sharing for veterans receiving COVIDâ€"19 treatment furnished by Department of Veterans Affairs</header>

<subsection id="H689A77FDE53F468A8BD6A6597923D83C"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Section 6006(b) of the

Families First Coronavirus Response Act (Public Law 116â€"127; 38 U.S.C. 1701 note) is amended by striking <quote>or visits described in paragraph (2) of such section</quote> and inserting <quote>, visits described in paragraph (2) of such section, or hospital care or medical services to treat COVIDâ€"19</quote>.

(b) Effective date</text display-inline="yes-display-inline">The amendment made by subsection (a) shall apply with respect to hospital care and medical services furnished on or after the date of the enactment of this Act.

30403. Prohibition on copayments and cost sharing for Federal civilian employees receiving COVIDâ€"19 treatment

(a) In general</text display-inline="yes-display-inline">Section 6006(c) of the Families First Coronavirus Response Act (Public Law 116â€"127; 5 U.S.C. 8904 note) is amended by striking <quote>or visits described in paragraph (2) of such section</quote> and inserting <quote>, visits described in paragraph (2) of such section, or hospital care or medical services to treat COVIDâ€"19</quote>.

(b) Effective date</text display-inline="yes-display-inline">The amendment made by subsection (a) shall apply with respect to hospital care and medical services furnished on or after the date of the enactment of this Act.

V Public Health Policies

30501. Definitions</text display-inline="no-display-inline">In this title:

(1) Except as inconsistent with the provisions of this title, the term Secretary means the Secretary of Health and Human Services.

(2) The term State refers to each of the 50 States and the District of Columbia.

(3) The term Tribal, with respect to a department of health (or health department), includesâ€"

(A) Indian Tribes thatâ€"

(i) are operating one or more health facilities pursuant to an agreement under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.); or

(ii) receive services from a facility operated by the Indian Health Services;

(B) Tribal organizations and Urban Indian organizations.

A Supply Chain Improvements

30511. Medical Supplies Response Coordinator

(a) In general</text>The President shall appoint a Medical Supplies Response Coordinator to coordinate the efforts of the Federal Government regarding the supply and distribution of critical medical supplies and equipment related to detecting, diagnosing, preventing, and treating COVIDâ€"19, including personal protective equipment, medical devices, drugs, and vaccines.

<subsection

id="H2E58C828A78642349A93517FE6CFA257"><enum>(b)</enum><header>Qualifications</header><text display-inline="yes-display-inline">To qualify to be appointed as the Medical Supplies Response Coordinator, an individual shall be a senior government official withâ€" </text>

<paragraph id="H9E5EBC13963147C0AD24AB1EB346912B"><enum>(1)</enum><text>health care training, including training related to infectious diseases or hazardous exposures; and</text></paragraph>

<paragraph id="H39381B1FCE5246FDA3BD845438C0BBC7"><enum>(2)</enum><text>a familiarity with medical supply chain logistics.</text></paragraph></subsection>

<subsection

id="H7896E4FF229248E69D1FA1F34ABBACC1"><enum>(c)</enum><header>Activities</header><text>The Medical Supplies Response Coordinator shallâ€" </text>

<paragraph id="HFB7EE491493C4A2FB4931198C503A804"><enum>(1)</enum><text display-inline="yes-display-inline">consult with State, local, territorial, and Tribal officials to ensure that health care facilities and health care workers have sufficient personal protective equipment and other medical supplies;</text></paragraph>

<paragraph id="HC4BD79118D164ED0B0BF3270A7E44EA7"><enum>(2)</enum><text display-inline="yes-display-inline">evaluate ongoing needs of States, localities, territories, Tribes, health care facilities, and health care workers to determine the need for critical medical supplies and equipment;</text></paragraph>

<paragraph id="HBF0337D1571C4090AD33F59DD702065F"><enum>(3)</enum><text display-inline="yes-display-inline">serve as a point of contact for industry for procurement and distribution of critical medical supplies and equipment, including personal protective equipment, medical devices, testing supplies, drugs, and vaccines;</text></paragraph>

<paragraph id="HB2469F23DA1A41D8BF16AC95A47BE319"><enum>(4)</enum><text display-inline="yes-display-inline">procure and distribute critical medical supplies and equipment, including personal protective equipment, medical devices, testing supplies, drugs, and vaccines;</text></paragraph>

<paragraph id="H66A7E6DEB2164768BCDC9F9385C51681"><enum>(5)</enum>

<subparagraph id="H61F8047B86CA43298C3AABABD3E90BE7" display-inline="yes-display-inline"><enum>(A)</enum><text>establish and maintain an up-to-date national database of hospital capacity, including beds, ventilators, and supplies, including personal protective equipment, medical devices, drugs, and vaccines; and</text></subparagraph>

<subparagraph id="H335842260B4C4950B480DA2612B1DFCB" indent="up1"><enum>(B)</enum><text>provide weekly reports to the Congress on gaps in such capacity and progress made toward closing the gaps;</text></subparagraph></paragraph>

<paragraph id="H40764679FC384E8885FE48A268C9DF72"><enum>(6)</enum><text display-inline="yes-display-inline">require, as necessary, industry reporting on production and distribution of personal protective equipment, medical devices, testing supplies, drugs, and vaccines and assess financial penalties as may be specified by the Medical Supplies Response Coordinator for failure to comply with such requirements<i>for reporting on production and distribution;</i></text></paragraph>

<paragraph id="H7A6AA786E3D64786A1C1D67FC6BC78F8"><enum>(7)</enum><text>consult with the Secretary and the Administrator of the Federal Emergency Management Agency, as applicable, to ensure sufficient production levels under the Defense Production Act (50 U.S.C. 4501 et seq.); and</text></paragraph>

<paragraph id="HA1BD33DE877544818FC38E3D9803EBC1"><enum>(8)</enum><text display-inline="yes-display-inline">monitor the prices of critical medical supplies and equipment, including personal protective equipment and medical devices, drugs, and vaccines related to detecting, diagnosing, preventing, and treating COVIDâ€"19 and report any suspected price gouging of such materials to the Federal Trade Commission and appropriate law enforcement officials.</text></paragraph></subsection></section>

<section id="HA22C529862E34A99B8D36D287CDB1E0F"><enum>30512.</enum><header>Information to be included in list of devices determined to be in shortage</header><text display-

inline="no-display-inline">Section 506J(g) (2) (A) of the Federal Food, Drug, and Cosmetic Act, as added by section 3121 of the CARES Act (Public Law 116â€"136), is amended by inserting <quote>, including the device identifier or national product code for such device, if applicable</quote> before the period at the end.</text></section>

<section id="HC6FE3D0578BC49ADA25A4BDA22EEDEC8"><enum>30513.</enum><header>Extended shelf life dates for essential devices</header>

<subsection id="H74609628E0694EDA896E07282DC745EC"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Federal Food, Drug, and Cosmetic Act is amended by inserting after section 506J (21 U.S.C. 356j) the following:</text>

<quoted-block style="OLC" id="H40DDE5E4A1344C62A9B70B8058157E21" display-inline="no-display-inline">

<section id="HDE285FEC7022402D80B236FC1C9CC3C8"><enum>506K.</enum><header>Extended shelf life dates for essential devices</header>

<subsection id="H288EC6AB2786443981946B859C8E0041"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">A manufacturer of a device subject to notification requirements under section 506J (in this section referred to as an <quote>essential device</quote>) shallâ€" </text>

<paragraph id="H3582D1C29BFD4727ABD90E4BB1A46B1B"><enum>(1)</enum><text>submit to the Secretary data and information as required by subsection (b) (1);</text></paragraph>

<paragraph id="HA714F0AF5E00406CB416DDF4F9F6C988"><enum>(2)</enum><text>conduct and submit the results of any studies required under subsection (b) (3); and</text></paragraph>

<paragraph id="H0F22295BD6224E9F8545274E8D059832"><enum>(3)</enum><text>make any labeling change described in subsection (c) by the date specified by the Secretary pursuant to such subsection. </text></paragraph></subsection>

<subsection id="H19BB43CA26F94E7A8D1E689553748E6B"><enum>(b)</enum><header>Notification</header>

<paragraph id="HC9C3173EF317416789DECE45D70C7C37"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary may issue an order requiring the manufacturer of any essential device to submit, in such manner as the Secretary may prescribe, data and information from any stage of development of the device (including pilot, investigational, and final product validation) that are adequate to assess the shelf life of the device to determine the longest supported expiration date.</text></paragraph>

<paragraph id="HB51FA248E7AF492197E40BDBD339BF3D"><enum>(2)</enum><header>Unavailable or insufficient data and information</header><text>If the data and information referred to in paragraph (1) are not available or are insufficient, the Secretary may require the manufacturer of the device toâ€" </text>

<subparagraph id="H29DC239F29154EA8B27CD8AB5E67D03B"><enum>(A)</enum><text>conduct studies adequate to provide the data and information; and</text></subparagraph>

<subparagraph id="HEBF48BF941D646A2A7245C302A756C1A"><enum>(B)</enum><text display-inline="yes-display-inline">submit to the Secretary the results, data, and information generated by such studies when available.</text></subparagraph></paragraph></subsection>

<subsection id="HF4ECEFF3B62B94F09B2E3C372C577BB67"><enum>(c)</enum><header>Labeling</header><text>The Secretary may issue an order requiring the manufacturer of an essential device to make by a specified date any labeling change regarding the expiration period that the Secretary determines to be appropriate based on the data and information required to be submitted under this section or any other data and information available to the Secretary.</text></subsection>

<subsection id="H7527E63CA52E4DFFAA15B2E3F4FF204B"><enum>(d)</enum><header>Confidentiality</header><text>Nothing in this section shall be construed as authorizing the Secretary to disclose any information that is a trade secret or confidential information subject to

section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

(b) **Civil monetary penalty**
Section 303(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(f)) is amended by adding at the end the following:

“

(10) **Civil monetary penalty with respect to extended shelf life dates for essential devices**
If the manufacturer of a device subject to notification requirements under section 506J violates section 506K by failing to submit data and information as required under section 506K(b)(1), failing to conduct or submit the results of studies as required under section 506K(b)(3), or failing to make a labeling change as required under section 506K(c), such manufacturer shall be liable to the United States for a civil penalty in an amount not to exceed \$10,000 for each such violation.”

(c) **Emergency use eligible products**
Subparagraph (A) of section 564A(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbbâ€³3a(a)(1)) is amended to read as follows:

“

(A) is approved or cleared under this chapter, otherwise listed as a device pursuant to section 510(j), conditionally approved under section 571, or licensed under section 351 of the Public Health Service Act;”

Authority to destroy counterfeit devices

(a) **In general**
Section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(a)) is amendedâ€³

(1) in the fourth sentence, by inserting “or counterfeit device” after “counterfeit drug”; and

(2) by striking “The Secretary of the Treasury shall cause the destruction of” and all that follows through “liable for costs pursuant to subsection (c).” and inserting the following: “The Secretary of the Treasury shall cause the destruction of any such article refused admission unless such article is exported, under regulations prescribed by the Secretary of the Treasury, within 90 days of the date of notice of such refusal or within such additional time as may be permitted pursuant to such regulations, except that the Secretary of Health and Human Services may destroy, without the opportunity for export, any drug or device refused admission under this section, if such drug or device is valued at an amount that is \$2,500 or less (or such higher amount as the Secretary of the Treasury may set by regulation pursuant to section 498(a)(1) of the Tariff Act of 1930 (19 U.S.C. 1498(a)(1))) and was not brought into compliance as described under subsection (b). The Secretary of Health and Human Services shall issue regulations providing for notice and an opportunity to appear before the Secretary of Health and Human Services and introduce testimony, as described in the first sentence of this subsection, on destruction of a drug or device under the seventh sentence of this subsection. The regulations shall provide that prior to destruction, appropriate due process is available to the owner or consignee seeking to challenge the decision to destroy the drug or device. Where the Secretary of Health and Human Services provides notice and an opportunity to appear and introduce testimony on the destruction of a drug or device, the Secretary of Health and Human Services shall store and, as applicable, dispose of the drug or device after the issuance of the

notice, except that the owner and consignee shall remain liable for costs pursuant to subsection (c).</quote>.</text></paragraph></subsection>

<subsection

id="H2B93BB0D3203483CBA5B36BCCD5330F0"><enum>(b)</enum><header>Definition</header><text display-inline="yes-display-inline">Section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h)) is amendedâ€"</text>

<paragraph id="HA542752FEBA14ADB8E6FA2F129F384FF"><enum>(1)</enum><text>by redesignating subparagraphs (1), (2), and (3) as clauses (A), (B), and (C), respectively; and</text></paragraph>

<paragraph id="H786FD6459B5F4137970EF3DEFAC4AC0F"><enum>(2)</enum><text>after making such redesignationsâ€"</text>

<subparagraph id="HC92FDEADB2F04B71B68C0B7D3C609A80"><enum>(A)</enum><text>by striking <quote>(h) The term</quote> and inserting <quote>(h) (1) The term</quote>; and</text></subparagraph>

<subparagraph id="H49199C9FFD674325867CDE3DF3CD33F6"><enum>(B)</enum><text>by adding at the end the following:</text>

<quoted-block style="OLC" id="HAEA96B02282D46A0A43520D836D555A5" display-inline="no-display-inline">

<paragraph id="HA3F68958061F495D9759F10A992CF691" indent="up1"><enum>(2)</enum><text display-inline="yes-display-inline">The term <term>counterfeit device</term> means a device which, or the container, packaging, or labeling of which, without authorization, bears a trademark, trade name, or other identifying mark, imprint, or symbol, or any likeness thereof, or is manufactured using a design, of a device manufacturer, packer, or distributor other than the person or persons who in fact manufactured, packed, or distributed such device and which thereby falsely purports or is represented to be the product of, or to have been packed or distributed by, such other device manufacturer, packer, or distributor.</text></paragraph>

<paragraph id="H1684BC01C6CE4CA485DCA4C67CE1166D" indent="up1"><enum>(3)</enum><text>For purposes of subparagraph (2)â€"</text>

<subparagraph id="H38BCE096370B47B2B09B2426E494691F"><enum>(A)</enum><text>the term <term>manufactured</term> refers to any of the following activities: manufacture, preparation, propagation, compounding, assembly, or processing; and</text></subparagraph>

<subparagraph id="HCEC9FDDC07DC43A0BC0AD782B835507A"><enum>(B)</enum><text>the term <term>manufacturer</term> means a person who is engaged in any of the activities listed in clause (A).</text></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></subparagraph></paragraph></subsection></section>

<section id="HB66E84FC39334736BAA66D52BC2D6B7C"><enum>30515.</enum><header>Reporting requirement for drug manufacturers</header>

<subsection

id="HA767D84A572D4AD7B467CEFCDA51BAA1"><enum>(a)</enum><header>Establishments in a foreign country</header><text display-inline="yes-display-inline">Section 510(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(i)) is amended by inserting at the end the following new paragraph:</text>

<quoted-block style="OLC" id="HDCA8EF58E3F548D2A16050143789D5AF" display-inline="no-display-inline">

<paragraph id="HBCE525D69D1D49698934A7E0BF6336AD" indent="up1"><enum>(5)</enum><text display-inline="yes-display-inline">The requirements of paragraphs (1) and (2) shall apply to establishments within a foreign country engaged in the manufacture, preparation, propagation, compounding, or processing of any drug, including the active pharmaceutical ingredient, that is required to be listed pursuant to subsection (j). Such requirements shall apply regardless of whether the drug or active pharmaceutical ingredient undergoes further manufacture, preparation, propagation, compounding, or processing at a separate establishment or establishments outside the United States prior to being imported or offered for import into the United States.</text></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H0A3943633C154C2CB868763033484841"><enum>(b)</enum><header>Listing of drugs</header><text display-inline="yes-display-inline">Section 510(j)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(j)(1)) is amendedâ€" </text>

<paragraph id="H005B46A8E6A441B8BB2B6EECD2009142"><enum>(1)</enum><text>in subparagraph (D), by striking <quote>and</quote> at the end;</text></paragraph>

<paragraph id="HFC4334B15796445C97BE4F2114D87D2F"><enum>(2)</enum><text>in subparagraph (E), by striking the period at the end and inserting <quote>; and</quote>; and</text></paragraph>

<paragraph id="H79AC6DB3584A4E2DB07F63A8F60F24DA"><enum>(3)</enum><text>by adding at the end the following new subparagraph:</text>

<quoted-block style="OLC" id="HC9642C05DDB746979F64BC2AECFF0F6E" display-inline="no-display-inline">

<subparagraph id="H4F0BD34614F743E8B31B4E7FCFC3A297" indent="up1"><enum>(F)</enum><text display-inline="yes-display-inline">in the case of a drug contained in the applicable list, a certification that the registrant hasâ€" </text>

<clause id="HB2B0A0E366994E1D8F78C6A60EC7076B"><enum>(i)</enum><text>identified every other establishment where manufacturing is performed for the drug; and</text></clause>

<clause id="H41AAC7BAE42C4CE99638EB36C864C1BC"><enum>(ii)</enum><text>notified each known foreign establishment engaged in the manufacture, preparation, propagation, compounding, or processing of the drug, including the active pharmaceutical ingredient, of the inclusion of the drug in the list and the obligation to register.</text></clause></subparagraph><after-quoted-block>.</after-quoted-block></quoted-block></paragraph></subsection>

<subsection id="H2BAE0EFF296248D8BF899DE0366A69E1"><enum>(c)</enum><header>Quarterly reporting on amount of drugs manufactured</header><text>Section 510(j)(3)(A) of the Federal Food, Drug, and Cosmetic Act (as added by section 3112 of the CARES Act (Public Law 116â€"136)) is amended by striking <quote>annually</quote> and inserting <quote>once during the month of March of each year, once during the month of June of each year, once during the month of September of each year, and once during the month of December of each year</quote>.</text></subsection></section>

<section id="HDFEC19EA5ADA4519B81BA8264F791000"><enum>30516.</enum><header>Recommendations to encourage domestic manufacturing of critical drugs</header>

<subsection id="H05F3D1F44C0D4E1D8243F4483ED38570"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Not later than 14 days after the date of enactment of this Act, the Secretary shall enter into an agreement with the National Academies of Sciences, Engineering, and Medicine (referred to in this section as the <quote>National Academies</quote>) under which, not later than 90 days after the date of entering into the agreement, the National Academies willâ€" </text>

<paragraph id="HB3909554941A4001B79367D032B62903"><enum>(1)</enum><text>establish a committee of experts who are knowledgeable about drug and device supply issues, includingâ€" </text>

<subparagraph id="HFFE2E2F5A7684AB7A4493458E184BF5B"><enum>(A)</enum><text>sourcing and production of critical drugs and devices;</text></subparagraph>

<subparagraph id="H4B385B6914A6436D814F1112FDCA969C"><enum>(B)</enum><text>sourcing and production of active pharmaceutical ingredients in critical drugs;</text></subparagraph>

<subparagraph id="H965DD01071EE4EC48A89CF36CC65D027"><enum>(C)</enum><text>the raw materials and other components for critical drugs and devices; and</text></subparagraph>

<subparagraph id="H59F6D65322D14C44A47272188A5B7D6C"><enum>(D)</enum><text>the public health and national security implications of the current supply chain for critical drugs and devices;</text></subparagraph></paragraph>

<paragraph id="HA5AB76EE9F3E4100B55BEC4659725983"><enum>(2)</enum><text>convene a public symposium toâ€" </text>

<subparagraph id="HA57D8748D58E41599AA7B4FC5277D90F"><enum>(A)</enum><text>analyze the impact of United States dependence on the foreign manufacturing of critical drugs and devices on patient access and care, including in hospitals and intensive care units; and</text></subparagraph>

<subparagraph id="H2E1447C1E1AF436BB968F045CD6BCC80"><enum>(B)</enum><text display-inline="yes-display-inline">recommend strategies to end United States dependence on foreign manufacturing to ensure the United States has a diverse and vital supply chain for critical drugs and devices to protect the Nation from natural or hostile occurrences; and</text></subparagraph></paragraph>

<paragraph id="H1621796EB0354C8A981067FD9B23EF03"><enum>(3)</enum><text>submit a report on the symposium's proceedings to the Congress and publish a summary of such proceedings on the public website of the National Academies.</text></paragraph></subsection>

<subsection id="H7A023CA9421548129AD45D2A1E3C9D0E"><enum>(b)</enum><header>Symposium</header><text display-inline="yes-display-inline">In carrying out the agreement under subsection (a), the National Academies shall consult with—</text>

<paragraph id="H466389B04C33400BA8D779C7D97160BC"><enum>(1)</enum><text>the Department of Health and Human Services, the Department of Homeland Security, the Department of Defense, the Department of Commerce, the Department of State, the Department of Veterans Affairs, the Department of Justice, and any other Federal agencies as appropriate; and</text></paragraph>

<paragraph id="H67070060DBFF41FDB1426D68B122A933"><enum>(2)</enum><text>relevant stakeholders, including drug and device manufacturers, health care providers, medical professional societies, State-based societies, public health experts, State and local public health departments, State medical boards, patient groups, health care distributors, wholesalers and group purchasing organizations, pharmacists, and other entities with experience in health care and public health, as appropriate.</text></paragraph></subsection>

<subsection id="H75B2C4580AFB43A8B30F8DA9D4B628B3"><enum>(c)</enum><header>Definitions</header><text display-inline="yes-display-inline">For the purposes of this section:</text>

<paragraph id="H8CAF3F8F1EB34C6CA898C1946B1D95AB"><enum>(1)</enum><text>The term <term>critical</term>—</text>

<subparagraph id="H2957B98C482049B28C07DE3A5E505BFF"><enum>(A)</enum><text>with respect to a device, refers to a device classified by the Food and Drug Administration as implantable, life-saving, and life-sustaining; or</text></subparagraph>

<subparagraph id="HA132BA5FE9A64071ACDED6A461873104"><enum>(B)</enum><text>with respect to a drug, refers to a drug that is described in subsection (a) of section 506C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356c) (relating to notification of any discontinuance or interruption in the production of life-saving drugs).</text></subparagraph></paragraph>

<paragraph id="H1A86D9C5EF54470ABB34A18E956421C4"><enum>(2)</enum><text>The terms <term>device</term> and <term>drug</term> have the meanings given to those terms in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321).</text></paragraph></subsection>

<section id="H076D6D0DAA324275B8C7AFF31C51EF6A"><enum>30517.</enum><header>Failure to notify of a permanent discontinuance or an interruption</header><text display-inline="no-display-inline">Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:</text>

<quoted-block style="OLC" id="H6B4CE3DA5D224A4FA728A21120867AF1" display-inline="no-display-inline">

<subsection id="H933A35BE83D24D068FC55DEDD33BCD27"><enum>(fff)</enum><text display-inline="yes-display-inline">The failure of a manufacturer of a drug described in section 506C(a) or an active pharmaceutical ingredient of such a drug, without a reasonable basis as determined by the Secretary, to notify the Secretary of a permanent discontinuance or an interruption, and the reasons for such discontinuance or interruption, as required by section 506C.</text></subsection><after-quoted-

block>.</after-quoted-block></quoted-block></section>

<section id="H73690CF158864BC8BA4980C0A17F3260"><enum>30518.</enum><header>Failure to develop risk management plan</header><text display-inline="no-display-inline">Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331), as amended by section 30517, is further amended by adding at the end the following:</text>

<quoted-block style="OLC" id="HF563F5BBA38B4CF085740EAE986D5280" display-inline="no-display-inline">

<subsection id="HE81C125E98634A2D8EE17721476DA433"><enum>(ggg)</enum><text display-inline="yes-display-inline">The failure to develop, maintain, and implement a risk management plan, as required by section 506C(j).</text></subsection><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="H06181D7099D5417DBD5E149F8FA0D398"><enum>30519.</enum><header>National Centers of Excellence in Continuous Pharmaceutical Manufacturing</header>

<subsection id="H8E15828F5DE44AFEBBB7AA7306AB3A7B"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Section 3016 of the 21st Century Cures Act (21 U.S.C. 399h) is amended to read as follows:</text>

<quoted-block id="H485A8FDB20CA4455A69635E443BDE97B">

<section id="H21A1BAC390CF4F5E8547416401F784E7"><enum>3016.</enum><header>National Centers of Excellence in Continuous Pharmaceutical Manufacturing</header>

<subsection id="H5C14C9E8917D45158192B6F85BC2C7FA"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary of Health and Human Services, acting through the Commissioner of Food and Drugsâ€

<paragraph commented="no" id="HC1E9D3353A4546AA855C9D9096BF22A0"><enum>(1)</enum><text display-inline="yes-display-inline">shall solicit and, beginning not later than 1 year after the date of enactment of the <short-title>National Centers of Excellence in Continuous Pharmaceutical Manufacturing Act of 2019</short-title>, receive requests from institutions of higher education to be designated as a National Center of Excellence in Continuous Pharmaceutical Manufacturing (in this section referred to as a <quote>National Center of Excellence</quote>) to support the advancement and development of continuous manufacturing; and</text></paragraph>

<paragraph commented="no" id="H0F3A90CD4A9E4BB8ABD31668C13D4556"><enum>(2)</enum><text display-inline="yes-display-inline">shall so designate any institution of higher education thatâ€

<subparagraph commented="no" id="HFAF274487BC14B19B267A8D2D70168ED"><enum>(A)</enum><text>requests such designation; and</text></subparagraph>

<subparagraph commented="no" id="H9215A5D5108F42D3952339AFC37B1CD5"><enum>(B)</enum><text>meets the criteria specified in subsection (c).</text></subparagraph></paragraph></subsection>

<subsection id="H97BA826B1CB243DCB474D69810B34ED1"><enum>(b)</enum><header>Request for designation</header><text display-inline="yes-display-inline"><italic/>A request for designation under subsection (a) shall be made to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Any such request shall include a description of how the institution of higher education meets or plans to meet each of the criteria specified in subsection (c).</text></subsection>

<subsection id="HCD42E91129E849BDA29412EAF61D5F62"><enum>(c)</enum><header>Criteria for designation described</header><text>The criteria specified in this subsection with respect to an institution of higher education are that the institution has, as of the date of the submission of a request under subsection (a) by such institutionâ€

<paragraph id="HDF21E00E915F4FFAB9FB47DCD4B1B599"><enum>(1)</enum><text display-inline="yes-display-inline">physical and technical capacity for research and development of continuous manufacturing;</text></paragraph>

<paragraph id="H73FD8967512A477D8230ED2A3C553D04"><enum>(2)</enum><text display-inline="yes-display-inline">manufacturing knowledge-sharing networks with other institutions of higher education, large and small pharmaceutical manufacturers, generic and nonprescription manufacturers, contract manufacturers, and other

entities;</text></paragraph>

<paragraph id="HB0436B3E96554926BBD308BD1BDF080B"><enum>(3)</enum><text>proven capacity to design and demonstrate new, highly effective technology for use in continuous manufacturing;</text></paragraph>

<paragraph id="H5E933BD2F6E34C238E99B3A7049EF96D"><enum>(4)</enum><text display-inline="yes-display-inline">a track record for creating and transferring knowledge with respect to continuous manufacturing;</text></paragraph>

<paragraph id="HB7480C7730214DA085F5B11B03C21D4E"><enum>(5)</enum><text display-inline="yes-display-inline">the potential to train a future workforce for research on and implementation of advanced manufacturing and continuous manufacturing<italic/>; and</text></paragraph>

<paragraph id="HF477BDB3708649CBB666BD5B82248BBF"><enum>(6)</enum><text display-inline="yes-display-inline">experience in participating in and leading a continuous manufacturing technology partnership with other institutions of higher education, large and small pharmaceutical manufacturers (including generic and nonprescription drug manufacturers), contract manufacturers, and other entities"</text>

<subparagraph id="H5BC16B9AB54740A1B2F6B0EA98E4C40F"><enum>(A)</enum><text>to support companies with continuous manufacturing in the United States;</text></subparagraph>

<subparagraph id="HD6D56719D1BB47E38AEB3207E37491CB"><enum>(B)</enum><text display-inline="yes-display-inline">to support Federal agencies with technical assistance, which may include regulatory and quality metric guidance as applicable, for advanced manufacturing and continuous manufacturing;</text></subparagraph>

<subparagraph id="H4944F67D971F46E2932F6BD7390C4B60"><enum>(C)</enum><text display-inline="yes-display-inline">with respect to continuous manufacturing, to organize and conduct research and development activities needed to create new and more effective technology, capture and disseminate expertise, create intellectual property, and maintain technological leadership;</text></subparagraph>

<subparagraph id="HC6B2B45BF9634CFFABA9CA7B9606DB6D"><enum>(D)</enum><text display-inline="yes-display-inline">to develop best practices for designing continuous manufacturing; and</text></subparagraph>

<subparagraph id="H9EAE08FC772440209CED87B2D8DE0934"><enum>(E)</enum><text display-inline="yes-display-inline">to assess and respond to the workforce needs for continuous manufacturing, including the development of training programs if needed.</text></subparagraph></paragraph></subsection>

<subsection id="HC92043CC8E9247049CD959A720614AA0"><enum>(d)</enum><header>Termination of designation</header><text>The Secretary may terminate the designation of any National Center of Excellence designated under this section if the Secretary determines such National Center of Excellence no longer meets the criteria specified in subsection (c). Not later than 60 days before the effective date of such a termination, the Secretary shall provide written notice to the National Center of Excellence, including the rationale for such termination.</text></subsection>

<subsection id="HCEAD2BFE4E3C4526BAD74873F149B057"><enum>(e)</enum><header>Conditions for designation</header><text>As a condition of designation as a National Center of Excellence under this section, the Secretary shall require that an institution of higher education enter into an agreement with the Secretary under which the institution agrees"</text>

<paragraph id="H2081793D68404D15AFF9769C2E49D67B"><enum>(1)</enum><text display-inline="yes-display-inline">to collaborate directly with the Food and Drug Administration to publish the reports required by subsection (g);</text></paragraph>

<paragraph id="H92A093AE385F4AC2B21850BB2B4159C1"><enum>(2)</enum><text>to share data with the Food and Drug Administration regarding best practices and research generated through the funding under subsection (f);</text></paragraph>

<paragraph id="HAF574DE1700540FA9BDE5E263B2B9294"><enum>(3)</enum><text display-inline="yes-display-inline">to develop, along with industry partners (which may include large and small biopharmaceutical manufacturers, generic and nonprescription manufacturers, and contract manufacturers) and another institution or institutions designated under this section, if any, a roadmap for developing a continuous

manufacturing workforce;</text></paragraph>

<paragraph id="H1E15DD6657034C9598165CBDCBC3E98F"><enum>(4)</enum><text>to develop, along with industry partners and other institutions designated under this section, a roadmap for strengthening existing, and developing new, relationships with other institutions; and</text></paragraph>

<paragraph id="H753C7872EA2A4B7C8D0157AF79ED6480"><enum>(5)</enum><text display-inline="yes-display-inline">to provide an annual report to the Food and Drug Administration regarding the institution's activities under this section, including a description of how the institution continues to meet and make progress on the criteria listed in subsection (c).</text></paragraph></subsection>

<subsection id="HB449339A61A24E24A4AEED8B1CDD617"><enum>(f)</enum><header>Funding</header>

<paragraph id="H98258F23065446ACB951F0A4F81AEC49"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary shall award funding, through grants, contracts, or cooperative agreements, to the National Centers of Excellence designated under this section for the purpose of studying and recommending improvements to continuous manufacturing, including such improvements as may enable the Centers</text>

<subparagraph id="H356570491B454A1C8B87A5029D2C93AE"><enum>(A)</enum><text>to continue to meet the conditions specified in subsection (e); and</text></subparagraph>

<subparagraph id="H98125E19BF8E47178062C1073E157E3A"><enum>(B)</enum><text>to expand capacity for research on, and development of, continuing manufacturing.</text></subparagraph></paragraph>

<paragraph id="HDCC6BAD9C3DF43BDB6B95EF0B4ADA761"><enum>(2)</enum><header>Consistency with FDA mission</header><text display-inline="yes-display-inline">As a condition on receipt of funding under this subsection, a National Center of Excellence shall agree to consider any input from the Secretary regarding the use of funding that would</text>

<subparagraph id="H33942E1895EE4B8FAA706597CA01B93B"><enum>(A)</enum><text>help to further the advancement of continuous manufacturing through the National Center of Excellence; and</text></subparagraph>

<subparagraph id="H4BCCC0568F7C46CC93CA4DC53C920DE0"><enum>(B)</enum><text>be relevant to the mission of the Food and Drug Administration.</text></subparagraph></paragraph>

<paragraph id="HA81F1625537F4F1E90E9B2C274555BC7"><enum>(3)</enum><header>Authorization of appropriations</header><text>There is authorized to be appropriated to carry out this subsection \$100,000,000, to remain available until expended.</text></paragraph>

<paragraph id="H50E69E8C776B48C4878F9F4BE52FBDE2"><enum>(4)</enum><header>Rule of construction</header><text>Nothing in this section shall be construed as precluding a National Center for Excellence designated under this section from receiving funds under any other provision of this Act or any other Federal law.</text></paragraph></subsection>

<subsection id="HB0B05EF8EC064A98AAE8C7836357DF2C"><enum>(g)</enum><header>Annual review and reports</header>

<paragraph id="H0074CF8CD2B846DDAFEDB58C87B1A8A2"><enum>(1)</enum><header>Annual report</header><text display-inline="yes-display-inline">Beginning not later than 1 year after the date on which the first designation is made under subsection (a), and annually thereafter, the Secretary shall</text>

<subparagraph id="HB0BD0CB7585641FB8E592C321DBAD39F"><enum>(A)</enum><text>submit to Congress a report describing the activities, partnerships and collaborations, Federal policy recommendations, previous and continuing funding, and findings of, and any other applicable information from, the National Centers of Excellence designated under this section; and</text></subparagraph>

<subparagraph id="H5E493E533FB141CEB08056E80BA88154"><enum>(B)</enum><text>make such report available to the public in an easily accessible electronic format on the website of the Food and Drug Administration.</text></subparagraph></paragraph>

<paragraph id="HCEEEDB41FC9B34E1990EF976660E9E86E"><enum>(2)</enum><header>Review of

national centers of excellence and potential designees</header><text>The Secretary shall periodically review the National Centers of Excellence designated under this section to ensure that such National Centers of Excellence continue to meet the criteria for designation under this section.</text></paragraph>

<paragraph id="HE04C184BCA2A4386A44FF059539348EA"><enum>(3)</enum><header>Report on long-term vision of FDA role</header><text display-inline="yes-display-inline">Not later than 2 years after the date on which the first designation is made under subsection (a), the Secretary, in consultation with the National Centers of Excellence designated under this section, shall submit a report to the Congress on the long-term vision of the Department of Health and Human Services on the role of the Food and Drug Administration in supporting continuous manufacturing, includingâ€" </text>

<subparagraph commented="no" id="H38888AC7245C4F9F8E424954CA9688EF"><enum>(A)</enum><text>a national framework of principles related to the implementation and regulation of continuous manufacturing; </text></subparagraph>

<subparagraph id="HC6B0189AC6CB4065AB312923094239FE"><enum>(B)</enum><text display-inline="yes-display-inline">a plan for the development of Federal regulations and guidance for how advanced manufacturing and continuous manufacturing can be incorporated into the development of pharmaceuticals and regulatory responsibilities of the Food and Drug Administration; and</text></subparagraph>

<subparagraph id="H1932063941074B4FB1D9A986605D1F04"><enum>(C)</enum><text display-inline="yes-display-inline">appropriate feedback solicited from the public, which may include other institutions, large and small biopharmaceutical manufacturers, generic and nonprescription manufacturers, and contract manufacturers.</text></subparagraph></paragraph></subsection>

<subsection id="H6501A853B7EF4CDDAE1F7969DEE7E865"><enum>(h)</enum><header>Definitions</header><text>In this section:</text>

<paragraph id="HED441C16BCD046E5A7AB58E0949AC4FB"><enum>(1)</enum><header>Advanced manufacturing</header><text display-inline="yes-display-inline">The term <term>advanced manufacturing</term> means an approach for the manufacturing of pharmaceuticals that incorporates novel technology, or uses an established technique or technology in a new or innovative way (such as continuous manufacturing where the input materials are continuously transformed within the process by two or more unit operations) that enhances drug quality or improves the manufacturing process.</text></paragraph>

<paragraph id="HEB51F1FB09754DEE8755548678CFC25C"><enum>(2)</enum><header>Continuous manufacturing</header><text>The term <term>continuous manufacturing</term>â€" </text>

<subparagraph id="H2F0D4D0629224B68BA623BF3B63DC4CB"><enum>(A)</enum><text>means a process where the input materials are continuously fed into and transformed within the process, and the processed output materials are continuously removed from the system; and</text></subparagraph>

<subparagraph id="HBE069DE57AA64319B7EE8D715BA70335"><enum>(B)</enum><text>consists of an integrated process that consists of a series of two or more unit operations.</text></subparagraph></paragraph>

<paragraph id="HCACC8CA909894146B5C01F01F7815569"><enum>(3)</enum><header>Institution of higher education</header><text>The term <term>institution of higher education</term> has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).</text></paragraph>

<paragraph id="H8A6E0E8C24554EB9B8279EBA822DFF26"><enum>(4)</enum><header>Secretary</header><text>The term <term>Secretary</term> means the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs.</text></paragraph></subsection></section><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H95AB22E8F2C5440CB4A48406E73F4568"><enum>(b)</enum><header>Transition rule</header><text display-inline="yes-display-inline">Section 3016 of the 21st Century Cures Act (21 U.S.C. 399h), as in effect on the day before the date of the enactment of this section, shall apply with respect to grants awarded under such section before such

date of enactment.</text></subsection></section>

<section id="H0F5656A57A7F40AAB6C19843E320533C"><enum>30520.</enum><header>Vaccine manufacturing and administration capacity</header>

<subsection id="HD7E4DA8AC5E243AAA14BCF49DABD50D1"><enum>(a)</enum><header>Enhancing manufacturing capacity</header>

<paragraph id="H6FE42A3CBE044F93AB00D45017B2ECF4"><enum>(1)</enum><header>In general</header><text>The Secretary, acting through the Director of the Biomedical Advanced Research and Development Authority, shall, as appropriate, award contracts, grants, and cooperative agreements, and enter into other transactions, to expand and enhance manufacturing capacity of vaccines and vaccine candidates to prevent the spread of SARSâ€"CoVâ€"2 and COVIDâ€"19.</text></paragraph>

<paragraph id="H6D393892361A4A26BE4647F5FDED38C2"><enum>(2)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">To carry out this subsection, there are authorized to be appropriated such sums as may be necessary for fiscal years 2020 through 2024, to remain available until expended.</text></paragraph></subsection>

<subsection id="HA56C23BA3E05452B9A5921BA70ED331F"><enum>(b)</enum><header>Report on vaccine manufacturing and administration capacity</header>

<paragraph id="H9CF97222A7FF45029D53B8D0CA0C4B4E"><enum>(1)</enum><header>In general</header><text>Not later than December 31, 2020, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report detailingâ€"</text>

<subparagraph id="H7FD3DD2ABEE946A89D58E9605C4D30BC"><enum>(A)</enum><text>an assessment of the estimated supply of vaccines and ancillary medical products related to vaccine administration necessary to control and stop the spread of SARSâ€"CoVâ€"2 and COVIDâ€"19, domestically and internationally;</text></subparagraph>

<subparagraph id="H5B74BB6D33D74BC19BA1E3E594B15F0E"><enum>(B)</enum><text display-inline="yes-display-inline">an assessment of current and future domestic manufacturing capacity for vaccines or vaccine candidates to control or stop the spread of SARSâ€"CoVâ€"2 and COVIDâ€"19, vaccine candidates, and ancillary products related to the administration of such vaccines, including identification of any gaps in manufacturing capacity;</text></subparagraph>

<subparagraph id="H7E4DCC354BD54407B690DFD19110CF86"><enum>(C)</enum><text>activities conducted to expand and enhance manufacturing capacity for vaccines, vaccine candidates, and ancillary medical products to levels sufficient to control and stop the spread of SARSâ€"CoVâ€"2 and COVIDâ€"19, domestically and internationally, including a list and explanation of all contracts, grants, and cooperative agreements awarded, and other transactions entered into, for purposes of such expansion and enhancement and how such activities will help to meet future domestic manufacturing capacity needs;</text></subparagraph>

<subparagraph id="H5FEEBF6BB69E4276AB960ED3E09E8ACF"><enum>(D)</enum><text>a plan for the ongoing support of enhanced manufacturing capacity for vaccines, vaccine candidates, and ancillary medical products sufficient to control and stop the spread of SARSâ€"CoVâ€"2 and COVIDâ€"19, domestically and internationally; and</text></subparagraph>

<subparagraph id="HF9FE7BCEB0934F9BBF402858CB3BA454"><enum>(E)</enum><text>a plan to support the administration of vaccines approved or authorized by the Food and Drug Administration to control and stop the spread of SARSâ€"CoVâ€"2 and COVIDâ€"19, domestically and internationally, including Federal workforce enhancements necessary to administer such vaccines.</text></subparagraph></paragraph>

<paragraph id="HB1D122C3EE7B4C46AE89A1340F69776C"><enum>(2)</enum><header>Ancillary medical products</header><text>For purposes of this subsection, <quote>ancillary medical products</quote> includesâ€"</text>

<subparagraph id="HC20481BA3FC548DD923E2C61B20017EB"><enum>(A)</enum><text>vials;</text></subparagraph>

<subparagraph

id="H240121C9E4D84284B20613643B586B7C"><enum>(B)</enum><text>bandages;</text></subparagraph>

<subparagraph id="HDB83F7926E954599A7C229BBF9BAC0B7"><enum>(C)</enum><text>alcohol swabs;</text></subparagraph>

<subparagraph id="H518BC5730744414AB952F4667C6C58A8"><enum>(D)</enum><text>syringes;</text></subparagraph>

<subparagraph id="H5A94372642084C7BB2A35E96D8F4C133"><enum>(E)</enum><text>needles;</text></subparagraph>

<subparagraph id="HD968C347107C464FA378E7BCA7A8AB05"><enum>(F)</enum><text>gloves and other personal protective equipment; and</text></subparagraph>

<subparagraph id="H1949FEC2AC3A46D8A887BFBA0582D4A9"><enum>(G)</enum><text>other medical products the Secretary determines necessary for the administration of vaccines.</text></subparagraph></paragraph></subsection></section></subtitle>

<subtitle id="H3CC3C56DCFAB47CE9700AF349895EEEE0"><enum>B</enum><header>Strategic National Stockpile improvements</header>

<section id="H93EF995D69C44253BD4BFE96AC87CE39"><enum>30531.</enum><header>Equipment maintenance</header><text display-inline="no-display-inline">Section 319Fâ€"2 of the Public Health Service Act (42 U.S.C. 247dâ€"6b) is amendedâ€"</text>

<paragraph id="H6200961A34184B88BACCEA6CEB52B5F6"><enum>(1)</enum><text>in subsection (a) (3) â€"</text>

<subparagraph id="HF648B80C2435475685590C1C662D8953"><enum>(A)</enum><text>in subparagraph (I), by striking <quote>; and</quote> and inserting a semicolon;</text></subparagraph>

<subparagraph id="HF430F00CB915426EBCF03B12BBBEC90A" commented="no"><enum>(B)</enum><text>in subparagraph (J), by striking the period at the end and inserting a semicolon; and</text></subparagraph>

<subparagraph id="HE1E420B9DC6D432D94D1844A3F617CF9"><enum>(C)</enum><text>by inserting the following new subparagraph at the end:</text>

<quoted-block style="OLC" id="HCA07BFEBE88141A7B5402A85C4F33DA4" display-inline="no-display-inline">

<subparagraph id="H4722CBD335A3422FA8C29BCE423AA249"><enum>(K)</enum><text display-inline="yes-display-inline">ensure the contents of the stockpile remain in good working order and, as appropriate, conduct maintenance services on such contents; and</text></subparagraph><after-quoted-block>; and</after-quoted-block></quoted-block></subparagraph></paragraph>

<paragraph id="HF91A8708D7DD44F098C0EF1B35F7C991"><enum>(2)</enum><text>in subsection (c) (7) (B), by adding at the end the following new clause:</text>

<quoted-block style="OLC" id="H6787FDA0F29E43848A6A4615DF8A3B00" display-inline="no-display-inline">

<clause id="HF8AAF53F3FD44EA8BEA5604FEC28440C"><enum>(ix)</enum><header>Equipment maintenance service</header><text display-inline="yes-display-inline">In carrying out this section, the Secretary may enter into contracts for the procurement of equipment maintenance services. </text></clause><after-quoted-block>.</after-quoted-block></quoted-block></paragraph></section>

<section id="HDB2007E1BE604894A675479C022CB75D"><enum>30532.</enum><header>Supply chain flexibility manufacturing pilot</header>

<subsection id="H2B67FCE997DE479896B7420724902175"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Section 319Fâ€"2(a) (3) of the Public Health Service Act (42 U.S.C. 247dâ€"6b(a) (3)), as amended by section 30531, is further amended by adding at the end the following new subparagraph:</text>

<quoted-block style="OLC" id="HE6A0382689C24B9281F77B4A79CF3AEB" display-inline="no-

display-inline">

<subparagraph id="HE3C8DB5AA3684A6B86A03F42EB2DB0FA"><enum>(L)</enum><text display-inline="yes-display-inline">enhance medical supply chain elasticity and establish and maintain domestic reserves of critical medical supplies (including personal protective equipment, ancillary medical supplies, and other applicable supplies required for the administration of drugs, vaccines and other biological products, and other medical devices (including diagnostic tests)<italic/>) byâ€"</text>

<clause id="H04202798F2A74C608272BF72E289FBF7"><enum>(i)</enum><text>increasing emergency stock of critical medical supplies; </text></clause>

<clause id="HE354CD66AEC64F4AB36181B504A337AA"><enum>(ii)</enum><text>geographically diversifying production of such medical supplies;</text></clause>

<clause id="H49F479EBB7BC40DBBB4BDEC2512FF392"><enum>(iii)</enum><text>purchasing, leasing, or entering into joint ventures with respect to facilities and equipment for the production of such medical supplies; and</text></clause>

<clause id="H056B483F9BF34DAEAB6944AF78C35A0A"><enum>(iv)</enum><text>working with distributors of such medical supplies to manage the domestic reserves established under this subparagraph by refreshing and replenishing stock of such medical supplies.</text></clause></subparagraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="HD02773E8A14A4BDB93CDB0182B2CFC40"><enum>(b)</enum><header>Reporting; sunset</header><text display-inline="yes-display-inline">Section 319Fâ€"2(a) of the Public Health Service Act (42 U.S.C. 247dâ€"6b(a)) is amended by adding at the end the following:</text>

<quoted-block style="OLC" id="H51EECA3BDBB842B5BF902A0143C341D1" display-inline="no-display-inline">

<paragraph id="HFE90C79BB3A64C8EB332C55422C0D2FA"><enum>(6)</enum><header>Reporting</header><text display-inline="yes-display-inline">Not later than September 30, 2022, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report on the details of each purchase, lease, or joint venture entered into under paragraph (3)(L), including the amount expended by the Secretary on each such purchase, lease, or joint venture.</text></paragraph>

<paragraph id="H5B5EB2891B624AC3B537AEBE275B30B8"><enum>(7)</enum><header>Sunset</header><text display-inline="yes-display-inline">The authority to make purchases, leases, or joint ventures pursuant to paragraph (3)(L) shall cease to be effective on September 30, 2023.</text></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H45F34E0524624D5A8846117021CE6AA5"><enum>(c)</enum><header>Funding</header><text display-inline="yes-display-inline">Section 319Fâ€"2(f) of the Public Health Service Act (42 U.S.C. 247dâ€"6b(f)) is amended by adding at the end the following:</text>

<quoted-block style="OLC" id="H6BDE238A9C3F4239B1F1217833E2BA7D" display-inline="no-display-inline">

<paragraph id="HA24373D97526426F9D75C658CA32C2B1"><enum>(3)</enum><header>Supply chain elasticity</header>

<subparagraph id="H2518B1DE696B44E8A8475297D1A66262"><enum>(A)</enum><header>In general</header><text>For the purpose of carrying out subsection (a)(3)(L), there is authorized to be appropriated \$500,000,000 for each of fiscal years 2020 through 2023, to remain available until expended.</text></subparagraph>

<subparagraph id="HEEBF863951884675B13AC7745F1A32E4" commented="no"><enum>(B)</enum><header>Relation to other amounts</header><text display-inline="yes-display-inline">The amount authorized to be appropriated by subparagraph (A) for the purpose of carrying out subsection (a)(3)(L) is in addition to any other amounts available for such purpose.</text></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection></section>

<section id="H592DC2CEE04948F081AF5655135F542D"><enum>30533.</enum><header>Reimbursable transfers from Strategic National Stockpile</header><text display-inline="no-display-inline">Section 319Fâ€"2(a) of the Public Health Service Act (42 U.S.C. 247dâ€"6b(a)), as amended, is further amended by adding at the end the following: </text>

<quoted-block style="OLC" id="H94BB838C006D4557A10B6139C9D261B7" display-inline="no-display-inline">

<paragraph id="H487DD7F19B884493B76951EEC1E04436"><enum>(8)</enum><header>Transfers and reimbursements</header>

<subparagraph id="HE57CD07E6D9D463387C1168C5F5EA465"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">Without regard to chapter 5 of title 40, United States Code, the Secretary may transfer to any Federal department or agency, on a reimbursable basis, any drugs, vaccines and other biological products, medical devices, and other supplies in the stockpile ifâ€"</text>

<clause id="H89954002883545A6A69054E16F7FF29A"><enum>(i)</enum><text>the transferred supplies are less than 6 months from expiry;</text></clause>

<clause id="H86C6A0DB52024D35993BF58270CC7747"><enum>(ii)</enum><text>the stockpile is able to replenish the supplies, as appropriate; and</text></clause>

<clause id="H9CE915B029F84282A6BEB72144341CEC"><enum>(iii)</enum><text>the Secretary decides the transfer is in the best interest of the United States Government.</text></clause></subparagraph>

<subparagraph id="H509AC578851C4D19BDF0D205A19A8428"><enum>(B)</enum><header>Use of reimbursement</header><text display-inline="yes-display-inline">Reimbursement derived from the transfer of supplies pursuant to subparagraph (A) may be used by the Secretary, without further appropriation and without fiscal year limitation, to carry out this section.</text></subparagraph>

<subparagraph id="H123A0D3DE86D462A92E6C5A1189D58AD"><enum>(C)</enum><header>Report</header><text>Not later than September 30, 2022, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report on each transfer made under this paragraph and the amount received by the Secretary in exchange for that transfer.</text></subparagraph>

<subparagraph id="HB258D4EA771F4E32976CF5BB8E24602F"><enum>(D)</enum><header>Sunset</header><text>The authority to make transfers under this paragraph shall cease to be effective on September 30, 2023. </text></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></section>

<section id="H3883A60DAAEF441C91F9524651B34C37" commented="no"><enum>30534.</enum><header>Strategic National Stockpile action reporting</header>

<subsection id="HE9A2CC9F962D4CFAB122132E8EFBA417" commented="no"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Assistant Secretary for Preparedness and Response (in this section referred to as the <quote>Assistant Secretary</quote>), in coordination with the Administrator of the Federal Emergency Management Agency, shallâ€"</text>

<paragraph id="H7A49354751774C5F9CD1116318085CBC" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">not later than 30 days after the date of enactment of this Act, issue a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate regarding all State, local, Tribal, and territorial requests for supplies from the Strategic National Stockpile related to COVIDâ€"19; and</text></paragraph>

<paragraph id="HB2EAB2FA64564094A643FA9E9F44A566" commented="no"><enum>(2)</enum><text display-inline="yes-display-inline">not less than every 30 days thereafter through the end of the emergency period (as such term is defined in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320bâ€"5(g)(1)(B))), submit to such committees an updated version of such report.</text></paragraph></subsection>

<subsection id="H941A65906DA94830BB61D04C20419B0F"

commented="no"><enum>(b)</enum><header>Reporting period</header>

<paragraph id="H243158BE90684A17990843AADB3C8E7C"
commented="no"><enum>(1)</enum><header>Initial report</header><text>The initial report under subsection (a) shall address all requests described in such subsection made during the periodâ€</text>

<subparagraph id="H2A7EF8B2D2EE4C77A0D83580D5D8C592"
commented="no"><enum>(A)</enum><text>beginning on January 31, 2020;
and</text></subparagraph>

<subparagraph id="H5C3B62D663C74159A845E40716B4335C"
commented="no"><enum>(B)</enum><text>ending on the date that is 30 days before the date of submission of the report.</text></subparagraph></paragraph>

<paragraph id="HB568BB5AAF014999B9F3B07E5D40E7D1"
commented="no"><enum>(2)</enum><header>Updates</header><text display-inline="yes-
display-inline">Each update to the report under subsection (a) shall address all requests described in such subsection made during the periodâ€</text>

<subparagraph id="HFBC3905494E64D0EAA8F927222D69F98"
commented="no"><enum>(A)</enum><text>beginning at the end of the previous reporting period under this section; and</text></subparagraph>

<subparagraph id="HEA573F20206541049A622ECCEE1AE8F3"
commented="no"><enum>(B)</enum><text display-inline="yes-display-inline">ending on the date that is 30 days before the date of submission of the updated report.</text></subparagraph></paragraph></subsection>

<subsection id="H669D65E449834E8ABF63A81A11377E72"
commented="no"><enum>(c)</enum><header>Contents of report</header><text>The report under subsection (a) (and updates thereto) shall includeâ€</text>

<paragraph id="HB0C173446D36464DA4D5A90006BDE123"
commented="no"><enum>(1)</enum><text>the details of each request described in such subsection, includingâ€</text>

<subparagraph id="H609A9FE8FA3F42C487C25EDA8F476000"
commented="no"><enum>(A)</enum><text display-inline="yes-display-inline">the specific medical countermeasures, including devices such as personal protective equipment, and other materials requested; and</text></subparagraph>

<subparagraph id="H291494AA51CC475E91964869C5A4BD17"
commented="no"><enum>(B)</enum><text>the amount of such materials requested;
and</text></subparagraph></paragraph>

<paragraph id="H8EB00C81E89546AB97075D7C9A3AC5DF"
commented="no"><enum>(2)</enum><text>the outcomes of each request described in subsection (a), includingâ€</text>

<subparagraph id="HBADA9960A852429FA8614D47E962CB9C"
commented="no"><enum>(A)</enum><text>whether the request was wholly fulfilled,
partially fulfilled, or denied;</text></subparagraph>

<subparagraph id="H54E18FDD7E834EAFA032A315E100E6A2"><enum>(B)</enum><text display-
inline="yes-display-inline">if the request was wholly or partially fulfilled, the fulfillment amount; and</text></subparagraph>

<subparagraph id="H4DEEF320B34D45FEB4AAF9E3A723DA34"
commented="no"><enum>(C)</enum><text>if the request was partially fulfilled or denied,
a rationale for such outcome.</text></subparagraph></paragraph></subsection></section>

<section id="HA31279E4F64F45E7ADC56E648C33476B"
commented="no"><enum>30535.</enum><header>Improved, transparent processes for the Strategic National Stockpile</header>

<subsection id="H3828B555B86A4091921E2ABE57CBBBEA"
commented="no"><enum>(a)</enum><header>In general</header><text display-inline="yes-
display-inline">Not later than January 1, 2021, the Secretary, in collaboration with the Assistant Secretary for Preparedness and Response and the Director of the Centers for Disease Control and Prevention, shall develop and implement improved, transparent processes for the use and distribution of drugs, vaccines and other biological

products, medical devices, and other supplies (including personal protective equipment, ancillary medical supplies, and other applicable supplies required for the administration of drugs, vaccines and other biological products, diagnostic tests, and other medical devices) in the Strategic National Stockpile under section 319Fâ€"2 of the Public Health Service Act (42 U.S.C. 247dâ€"6b) (in this section referred to as the <quote>Stockpile</quote>).

<subsection id="HFE4509BCA6BB4B07B8AFFC7627EA5C81" commented="no"><enum>(b)</enum><header>Processes</header><text>The processes developed under subsection (a) shall includeâ€" </text>

<paragraph id="H5E55DEAC97F243368612B0694BAE3B90" commented="no"><enum>(1)</enum><text>the form and manner in which States, localities, Tribes, and territories are required to submit requests for supplies from the Stockpile;</text></paragraph>

<paragraph id="H791816520018457AB84283D55824CE77" commented="no"><enum>(2)</enum><text>the criteria used by the Secretary in responding to such requests, including the reasons for fulfilling or denying such requests;</text></paragraph>

<paragraph id="H71293EE922EE415A9F42421E71976BBC" commented="no"><enum>(3)</enum><text>what circumstances result in prioritization of distribution of supplies from the Stockpile to States, localities, Tribes, or territories; </text></paragraph>

<paragraph id="HAD3FEABD7B8746DC8B4112232125E2B0" commented="no"><enum>(4)</enum><text display-inline="yes-display-inline">clear plans for future, urgent communication between the Secretary and States, localities, Tribes, and territories regarding the outcome of such requests; and</text></paragraph>

<paragraph id="HC9B3FE4381EC449BB29566BA1B262607"><enum>(5)</enum><text display-inline="yes-display-inline">any differences in the processes developed under subsection (a) for geographically related emergencies, such as weather events, and national emergencies, such as pandemics.</text></paragraph></subsection>

<subsection id="HED66EF07C2CD42BEA9F806A70167C8C9" commented="no"><enum>(c)</enum><header>Report to Congress</header><text display-inline="yes-display-inline">Not later than January 1, 2021, the Secretary shallâ€" </text>

<paragraph id="H994B20A05F6C4DB3B449A132CD80C757" commented="no"><enum>(1)</enum><text>submit a report to the Committee Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate regarding the improved, transparent processes developed under this section; and</text></paragraph>

<paragraph id="HF116AB57D59647F8A9060D4BCD211228" commented="no"><enum>(2)</enum><text>include in such report recommendations for opportunities for communication (by telebriefing, phone calls, or in-person meetings) between the Secretary and States, localities, Tribes, and territories regarding such improved, transparent processes.</text></paragraph></subsection></section>

<section id="H8EECB3725B734AC4B27A84E2DD468E2F" commented="no"><enum>30536.</enum><header>GAO study on the feasibility and benefits of a Strategic National Stockpile user fee agreement</header>

<subsection id="H486D27E47A3349638CC5504B4FDBFC9D" commented="no"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline"> The Comptroller General of the United States shall conduct a study to investigate the feasibility of establishing user fees to offset certain Federal costs attributable to the procurement of single-source materials for the Strategic National Stockpile under section 319Fâ€"2 of the Public Health Service Act (42 U.S.C. 247dâ€"6b) and distributions of such materials from the Stockpile. In conducting this study, the Comptroller General shall consider, to the extent information is availableâ€" </text>

<paragraph id="H29E897D985694CE3B1C6261100D2FF2C" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">whether entities receiving such distributions generate profits from those distributions;</text></paragraph>

<paragraph id="HF4FCE9593FA74F058E6F32FC36F5EBF0"

commented="no"><enum>(2)</enum><text>any Federal costs attributable to such distributions; </text></paragraph>

<paragraph id="H5B16F3A10B3443FAB735B4BA6857FA2A" commented="no"><enum>(3)</enum><text display-inline="yes-display-inline">whether such user fees would provide the Secretary with funding to potentially offset procurement costs of such materials for the Strategic National Stockpile; and</text></paragraph>

<paragraph id="H9846C6AF32AF425B8AA2CD6E7DC0D34A" commented="no"><enum>(4)</enum><text display-inline="yes-display-inline">any other issues the Comptroller General identifies as relevant.</text></paragraph></subsection>

<subsection id="HC45142AD33504D7BBB276CF9D7EE062F" commented="no"><enum>(b)</enum><header>Report</header><text display-inline="yes-display-inline">Not later than February 1, 2023, the Comptroller General of the United States shall submit to the Congress a report on the findings and conclusions of the study under subsection (a). </text></subsection></section></subtitle>

<subtitle id="H98F5036D8367441D92D8B091E5460A2B"><enum>C</enum><header>Testing and Testing Infrastructure Improvements</header>

<section id="H704B76ECD8A14267A1811B01BDC1A7D1"><enum>30541.</enum><header>COVIDâ€"19 testing strategy</header>

<subsection id="H1C51AA47FB2F43D18DBE7155C1CDCDCB"><enum>(a)</enum><header>Strategy</header><text display-inline="yes-display-inline">Not later than June 15, 2020, the Secretary shall update the COVIDâ€"19 strategic testing plan under the heading <quote>Department of Health and Human Servicesâ€"Office of the Secretaryâ€"Public Health and Social Service Emergency Fund</quote> in title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139, 134 Stat. 620, 626â€"627) and submit to the appropriate congressional committees such updated national plan identifyingâ€"</text>

<paragraph id="HB9B0D1E675944D5BB7CBE320FC5D4332"><enum>(1)</enum><text display-inline="yes-display-inline">what level of, types of, and approaches to testing (including predicted numbers of tests, populations to be tested, and frequency of testing and the appropriate setting whether a health care setting (such as hospital-based, high-complexity laboratory, point-of-care, mobile testing units, pharmacies or community health centers) or non-health care setting (such as workplaces, schools, or child care centers)) are necessaryâ€"</text>

<subparagraph id="H990AAF0E66264E9B979E1E9212783814"><enum>(A)</enum><text>to sufficiently monitor and contribute to the control of the transmission of SARSâ€"CoVâ€"2 in the United States;</text></subparagraph>

<subparagraph id="H2D5F52FA6E2D45DC92559B683278BF9E"><enum>(B)</enum><text>to ensure that any reduction in social distancing efforts, when determined appropriate by public health officials, can be undertaken in a manner that optimizes the health and safety of the people of the United States, and reduces disparities (including disparities related to race, ethnicity, sex, age, disability status, socioeconomic status, and geographic location) in the prevalence of, incidence of, and health outcomes with respect to, COVIDâ€"19; and</text></subparagraph>

<subparagraph id="H3A0F393A36394FD7A50EE599B9AF3DF4"><enum>(C)</enum><text>to provide for ongoing surveillance sufficient to support contact tracing, case identification, quarantine, and isolation to prevent future outbreaks of COVIDâ€"19;</text></subparagraph></paragraph>

<paragraph id="HC058BAE6DD7B474B8DA0DDAC7D6F349D"><enum>(2)</enum><text>specific plans and benchmarks, each with clear timelines, to ensureâ€"</text>

<subparagraph id="H3F1249ABCDE3453880308B90F9A83795"><enum>(A)</enum><text display-inline="yes-display-inline">such level of, types of, and approaches to testing as are described in paragraph (1), with respect to optimizing health and safety;</text></subparagraph>

<subparagraph id="H23B9C6A3BEC047E38D78DB92B1F61B90"><enum>(B)</enum><text>sufficient availability of all necessary testing materials and supplies, including extraction and testing kits, reagents, transport media, swabs, instruments, analysis equipment, personal protective equipment if necessary for testing (including point-of-care

testing), and other equipment;</text></subparagraph>

<subparagraph id="H376D6EAB2A4F4F26BE46126FED7BA2DC"><enum>(C)</enum><text>allocation of testing materials and supplies in a manner that optimizes public health, including by considering the variable impact of SARSâ€"CoVâ€"2 on specific States, territories, Indian Tribes, Tribal organizations, urban Indian organizations, communities, industries, and professions;</text></subparagraph>

<subparagraph id="HAB9C032E7B1F4AA4AC0693504F1CC73C"><enum>(D)</enum><text>sufficient evidence of validation for tests that are deployed as a part of such strategy;</text></subparagraph>

<subparagraph id="H00E4DCC2AFB14739BE8DC7923169DCCB"><enum>(E)</enum><text>sufficient laboratory and analytical capacity, including target turnaround time for test results;</text></subparagraph>

<subparagraph id="HB2E08C6791D1453AA8D1F1568C624010"><enum>(F)</enum><text display-inline="yes-display-inline">sufficient personnel, including personnel to collect testing samples, conduct and analyze results, and conduct testing follow-up, including contact tracing, as appropriate; and</text></subparagraph>

<subparagraph id="H00D2EA7F445B43C998299FA54F0E0FA4"><enum>(G)</enum><text display-inline="yes-display-inline">enforcement of the Families First Coronavirus Response Act (Public Law 116â€"127) to ensure patients who are tested are not subject to cost sharing;</text></subparagraph></paragraph>

<paragraph id="HA43E4C88DA1649E2A8D27DA67869C70C"><enum>(3)</enum><text>specific plans to ensure adequate testing in rural areas, frontier areas, health professional shortage areas, and medically underserved areas (as defined in section 330I(a) of the Public Health Service Act (42 U.S.C. 254câ€"14(a))), and for underserved populations, Native Americans (including Indian Tribes, Tribal organizations, and urban Indian organizations), and populations at increased risk related to COVIDâ€"19;</text></paragraph>

<paragraph id="HF6246B6E696A46428D79ACBE7EBEF6E7"><enum>(4)</enum><text display-inline="yes-display-inline">specific plans to ensure accessibility of testing to people with disabilities, older individuals, and individuals with underlying health conditions or weakened immune systems; and</text></paragraph>

<paragraph id="H888E676940E64A948768BDD2D890BF24"><enum>(5)</enum><text>specific plans for broadly developing and implementing testing for potential immunity in the United States, as appropriate, in a manner sufficientâ€"</text>

<subparagraph id="H49D94C81381049E794E630D274A34AA3"><enum>(A)</enum><text>to monitor and contribute to the control of SARSâ€"CoVâ€"2 in the United States;</text></subparagraph>

<subparagraph id="HDC91575D069F49E0A850D987CC0940A1"><enum>(B)</enum><text>to ensure that any reduction in social distancing efforts, when determined appropriate by public health officials, can be undertaken in a manner that optimizes the health and safety of the people of the United States; and</text></subparagraph>

<subparagraph id="H6560992F1C3744D3B928470A777DA161"><enum>(C)</enum><text>to reduce disparities (including disparities related to race, ethnicity, sex, age, disability status, socioeconomic status, and geographic location) in the prevalence of, incidence of, and health outcomes with respect to, COVIDâ€"19.</text></subparagraph></paragraph></subsection>

<subsection id="H9EDB82C306EA41BFBB136D128B7543F1"><enum>(b)</enum><header>Coordination</header><text display-inline="yes-display-inline">The Secretary shall carry out this sectionâ€"</text>

<paragraph id="H0181DCBC7F1745D7B6B345B11D255806"><enum>(1)</enum><text>in coordination with the Administrator of the Federal Emergency Management Agency;</text></paragraph>

<paragraph id="H4A4F53603B454338BD7F90565A7C1110"><enum>(2)</enum><text>in collaboration with other agencies and departments, as appropriate; and</text></paragraph>

<paragraph id="H76D4591AE5CA4191A57A7F48C87F799D"><enum>(3)</enum><text>taking into

consideration the State plans for COVIDâ€"19 testing prepared as required under the heading <quote>Department of Health and Human Servicesâ€"Office of the Secretaryâ€"Public Health and Social Service Emergency Fund</quote> in title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139; 134 Stat. 620, 624).</text></paragraph></subsection>

<subsection

id="HE28BA577EEF1471186EE60343BA80ABD"><enum>(c)</enum><header>Updates</header>

<paragraph

id="H52ADE76B23F340C090CE7B0E2EDA981E"><enum>(1)</enum><header>Frequency</header><text>The updated national plan under subsection (a) shall be updated every 30 days until the end of the public health emergency first declared by the Secretary under section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVIDâ€"19.</text></paragraph>

<paragraph id="HD4335095CD8E4859A20150751992F4FE"><enum>(2)</enum><header>Relation to other law</header><text display-inline="yes-display-inline">Paragraph (1) applies in lieu of the requirement (for updates every 90 days until funds are expended) in the second to last proviso under the heading <quote>Department of Health and Human Servicesâ€"Office of the Secretaryâ€"Public Health and Social Service Emergency Fund</quote> in title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139; 134 Stat. 620, 627).</text></paragraph></subsection>

<subsection id="H7BC68CE022FB4ED7BD53110D595786DE"><enum>(d)</enum><header>Appropriate congressional committees</header><text display-inline="yes-display-inline">In this section, the term <term>appropriate congressional committees</term> meansâ€"</text>

<paragraph id="H89218EC9DAC2447DA421E4AB06C3E302"><enum>(1)</enum><text>the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives; and</text></paragraph>

<paragraph id="HFF6DA5DBABF94331A74E50BF1EC8C1E7"><enum>(2)</enum><text>the Committee on Appropriations and the Committee on Health, Education, Labor and Pensions and of the Senate.</text></paragraph></subsection></section>

<section id="HA76EF39328414B9795B9D793EB6045B8"><enum>30542.</enum><header>Centralized testing information website</header><text display-inline="no-display-inline">The Secretary shall establish and maintain a public, searchable webpage, to be updated and corrected as necessary through a process established by the Secretary, on the website of the Department of Health and Human Services thatâ€"</text>

<paragraph id="H18B4FDA07C77476FB657A898BF0A2D30"><enum>(1)</enum><text display-inline="yes-display-inline">identifies all in vitro diagnostic and serological tests used in the United States to analyze clinical specimens for detection of SARSâ€"CoVâ€"2 or antibodies specific to SARSâ€"CoVâ€"2, includingâ€"</text>

<subparagraph id="H6CA16E22BA814B61B2C1706E90C1DD2D"><enum>(A)</enum><text>those testsâ€"</text>

<clause id="HA11FA6B9080B41BBAF9927AD3BC11A6A"><enum>(i)</enum><text>that are approved, cleared, or authorized under section 510(k), 513, 515, or 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(k), 360c, 360e, 360bbbâ€"3);</text></clause>

<clause id="HF1E01F2B468F45FEBEA64CDCAC253DB3"><enum>(ii)</enum><text display-inline="yes-display-inline">that have been validated by the testâ€"s developers for use on clinical specimens and for which the developer has notified the Food and Drug Administration of the developerâ€"s intent to market the test consistent with applicable guidance issued by the Secretary; or</text></clause>

<clause id="HED62A8687E1745CFAB31EE16092E1ADE"><enum>(iii)</enum><text>that have been developed and authorized by a State that has notified the Secretary of the Stateâ€"s intention to review tests intended to diagnose COVIDâ€"19; and</text></clause></subparagraph>

<subparagraph id="HE94FAA86DF874EC18E75DDD9CCA32EFD"><enum>(B)</enum><text display-inline="yes-display-inline">other SARSâ€"CoVâ€"2-related tests that the Secretary determines appropriate in guidance, which may include tests related to the monitoring of COVIDâ€"19 patient status;</text></subparagraph></paragraph>

<paragraph id="H70CA31EDE8F2429B8D230B32CEFD8A2E"><enum>(2)</enum><text>provides relevant information, as determined by the Secretary, on each test identified pursuant to paragraph (1), which may includeâ€" </text>

<subparagraph id="HAA0484CFD3794F90B372B6254E8D63DB"><enum>(A)</enum><text>the name and contact information of the developer of the test;</text></subparagraph>

<subparagraph id="HB3551C5DB47245BE8A5D45318A7A289B"><enum>(B)</enum><text display-inline="yes-display-inline">the date of receipt of notification by the Food and Drug Administration of the developerâ€™s intent to market the test;</text></subparagraph>

<subparagraph id="H1F6CBD82FCC546A29AA9FB79D545721E"><enum>(C)</enum><text>the date of authorization for use of the test on clinical specimens, where applicable;</text></subparagraph>

<subparagraph id="H20714F5F21264C65A0D3B7D06084D058"><enum>(D)</enum><text>the letter of authorization for use of the test on clinical specimens, where applicable;</text></subparagraph>

<subparagraph id="H06EB8897CAE7408792E441D1E4B1F574"><enum>(E)</enum><text>any fact sheets, manufacturer instructions, and package inserts for the test, including information on intended use;</text></subparagraph>

<subparagraph id="H64017F3F847A44C2AAB8429EF9A7FC42"><enum>(F)</enum><text display-inline="yes-display-inline">sensitivity and specificity of the test; and</text></subparagraph>

<subparagraph id="H2382BF4489D9423DA1E78D2A6396DDEF"><enum>(G)</enum><text>in the case of tests distributed by commercial manufacturers, the number of tests distributed and, if available, the number of laboratories in the United States with the required platforms installed to perform the test; and</text></subparagraph></paragraph>

<paragraph id="H328BCEDEE1484FAD93C4B8DD3A6A6781"><enum>(3)</enum><text>includesâ€" </text>

<subparagraph id="H0A4936ED89014B37B46BB2DEACE6F6BB"><enum>(A)</enum><text>a list of laboratories certified under section 353 of the Public Health Service Act (42 U.S.C. 263a; commonly referred to as <quote>CLIA</quote>) thatâ€" </text>

<clause id="HF0173ADC7A07479DABC6771A8F616111"><enum>(i)</enum><text display-inline="yes-display-inline">meet the regulatory requirements under such section to perform high- or moderate-complexity testing; and</text></clause>

<clause id="H69E0FB2B27774E268C6512266BA018C0"><enum>(ii)</enum><text display-inline="yes-display-inline">are authorized to perform SARSâ€"CoVâ€"2 diagnostic or serological tests on clinical specimens; and</text></clause></subparagraph>

<subparagraph id="HCEF0B38CEE647E8BDD087782E796816"><enum>(B)</enum><text display-inline="yes-display-inline">information on each laboratory identified pursuant to subparagraph (A), includingâ€" </text>

<clause id="HB4D1C4F23F284690BF345EDB8D67AAF6"><enum>(i)</enum><text>the name and address of the laboratory;</text></clause>

<clause id="HE7787D8C2C37470B952F99B418701823"><enum>(ii)</enum><text>the CLIA certificate number;</text></clause>

<clause id="HCB3E89F288243DA9CAA6C8065392B12"><enum>(iii)</enum><text>the laboratory type; </text></clause>

<clause id="H06C533D1622846D79137972ACDF76239"><enum>(iv)</enum><text>the certificate type; and</text></clause>

<clause id="H715C6E6CFF20403FB5B877BB5B0CAD03"><enum>(v)</enum><text display-inline="yes-display-inline">the complexity level.</text></clause></subparagraph></paragraph></section>

<section id="H9C6F67D86FD84A28B862EC40D093AB50"><enum>30543.</enum><header>Manufacturer reporting of test distribution</header>

<subsection id="H5A9A356867864BA7996F929E65817D5B"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">A commercial manufacturer of

an in vitro diagnostic or serological COVID-19 test shall, on a weekly basis, submit a notification to the Secretary regarding distribution of each such test, which notification

(1) shall include the number of tests distributed and the entities to which the tests are distributed; and

(2) may include the quantity of such tests distributed by the manufacturer.

Confidentiality
Nothing in this section shall be construed as authorizing the Secretary to disclose any information that is a trade secret or confidential information subject to section 552(b)(4) of title 5, United States Code, or section 1905 of title 18, United States Code.

Failure to meet requirements
If a manufacturer fails to submit a notification as required under subsection (a), the following applies:

(1) The Secretary shall issue a letter to such manufacturer informing such manufacturer of such failure.

(2) Not later than 7 calendar days after the issuance of a letter under paragraph (1), the manufacturer to whom such letter is issued shall submit to the Secretary a written response to such letter.

(A) setting forth the basis for noncompliance; and

(B) providing information as required under subsection (a).

(3) Not later than 14 calendar days after the issuance of a letter under paragraph (1), the Secretary shall make such letter and any response to such letter under paragraph (2) available to the public on the internet website of the Food and Drug Administration, with appropriate redactions made to protect information described in subsection (b). The preceding sentence shall not apply if the Secretary determines that

(A) the letter under paragraph (1) was issued in error; or

(B) after review of such response, the manufacturer had a reasonable basis for not notifying as required under subsection (a).

State testing report
For any State that authorizes (or intends to authorize) one or more laboratories in the State to develop and perform in vitro diagnostic COVID-19 tests, the head of the department or agency of such State with primary responsibility for health shall

(1) notify the Secretary of such authorization (or intention to authorize); and

(2) provide the Secretary with a weekly report

(A) identifying all laboratories authorized (or intended to be authorized) by the State to develop and perform in vitro diagnostic COVID-19 tests;

(B) including relevant information on all laboratories identified pursuant to subparagraph (A), which may include information on laboratory testing capacity;

<subparagraph id="HC50689EC692543A4952AAF8DCA8CD59C"><enum>(C)</enum><text display-inline="yes-display-inline">identifying all in vitro diagnostic COVIDâ€"19 tests developed and approved for clinical use in laboratories identified pursuant to subparagraph (A); and</text></subparagraph>

<subparagraph id="H57101F634CA84EE99CDE18537B8BB668"><enum>(D)</enum><text>including relevant information on all tests identified pursuant to subparagraph (C), which may includeâ€"</text>

<clause id="HE27A09BEF7704889ABC0D911C2B610ED"><enum>(i)</enum><text>the name and contact information of the developer of any such test;</text></clause>

<clause id="HBECED5AB477A486292A12DEE6AEE6AC5"><enum>(ii)</enum><text>any fact sheets, manufacturer instructions, and package inserts for any such test, including information on intended use; and</text></clause>

<clause id="H0444839FF0B046E3ACA32EB27625FE42"><enum>(iii)</enum><text>the sensitivity and specificity of any such test.</text></clause></subparagraph></paragraph></section>

<section id="HA6F889701703407688338DA4EDEBC082"><enum>30545.</enum><header>State listing of testing sites</header><text display-inline="no-display-inline">Not later than 14 days after the date of enactment of this Act, any State receiving funding or assistance under this Act, as a condition on such receipt, shall establish and maintain a public, searchable webpage on the official website of the State thatâ€"</text>

<paragraph id="HE0381D0902C445B39ECBDEBBF4526E9C"><enum>(1)</enum><text display-inline="yes-display-inline">identifies all sites located in the State that provide diagnostic or serological testing for SARSâ€"CoVâ€"2; and</text></paragraph>

<paragraph id="H1BDE0B05AF6E421BAAC914B2FBC044C5"><enum>(2)</enum><text>provides appropriate contact information for SARSâ€"CoVâ€"2 testing sites pursuant to paragraph (1).</text></paragraph></section>

<section id="HB464CDC4881643D486376C337729C4FA"><enum>30546.</enum><header>Reporting of COVIDâ€"19 testing results</header>

<subsection id="H0359AC19650D405CAD4E6E4A867D56EB"><enum>(a)</enum><header>In general</header><text>Every laboratory that performs or analyzes a test that is intended to detect SARSâ€"CoVâ€"2 or to diagnose a possible case of COVIDâ€"19 shall report daily the number of tests performed and the results from each such test to the Secretary of Health and Human Services and to the Secretary of Homeland Security, in such form and manner as such Secretaries may prescribe. Such information shall be made available to the public in a searchable, electronic format.</text></subsection>

<subsection id="HC6459D8C566A4A3589541F303243A79E"><enum>(b)</enum><header>Additional reporting requirements</header><text>The Secretaries specified in subsection (a)â€"</text>

<paragraph id="H3061CFC192EE460FBA97CE4FFD8E8E75"><enum>(1)</enum><text>may specify additional reporting requirements under this section by regulation, including by interim final rule, or by guidance; and</text></paragraph>

<paragraph id="HE4DFEEE3301B47DEA69B2C8B8CD3C991"><enum>(2)</enum><text>may issue such regulations or guidance without regard to the procedures otherwise required by section 553 of title 5, United States Code.</text></paragraph></subsection></section>

<section id="HB2C4C80324B745E480400CD3B6B53DCA"><enum>30547.</enum><header>GAO report on diagnostic tests</header>

<subsection id="H78E4588770C24631B6EAE1C6B5C13076"><enum>(a)</enum><header>GAO study</header><text>Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report describing the response of entities described in subsection (b) to the COVIDâ€"19 pandemic with respect to the development, regulatory evaluation, and deployment of diagnostic tests.</text></subsection>

<subsection id="H7A071536BAD44398B5E2717CEA3F0535"><enum>(b)</enum><header>Entities described</header><text display-inline="yes-display-inline">Entities described in this subsection includeâ€"</text>

<paragraph id="H57E3D6C8DAFA455FA4E08251E2A64411"><enum>(1)</enum><text>laboratories,

including public health, academic, clinical, and commercial laboratories;

(2) diagnostic test manufacturers;

(3) State, local, Tribal, and territorial governments; and

(4) the Food and Drug Administration, the Centers for Disease Control and Prevention, the Centers for Medicare & Medicaid Services, the National Institutes of Health, and other relevant Federal agencies, as appropriate.

(c) Contents
The report under subsection (a) shall include

(1) a description of actions taken by entities described in subsection (b) to develop, evaluate, and deploy diagnostic tests;

(2) an assessment of the coordination of Federal agencies in the development, regulatory evaluation, and deployment of diagnostic tests;

(3) an assessment of the standards used by the Food and Drug Administration to evaluate diagnostic tests;

(4) an assessment of the clarity of Federal agency guidance related to testing, including the ability for individuals without medical training to understand which diagnostic tests had been evaluated by the Food and Drug Administration;

(5) a description of

(A) actions taken and clinical processes employed by States and territories that have authorized laboratories to develop and perform diagnostic tests not authorized, approved, or cleared by the Food and Drug Administration, including actions of such States and territories to evaluate the accuracy and sensitivity of such tests; and

(B) the standards used by States and territories when deciding when to authorize laboratories to develop or perform diagnostic tests;

(6) an assessment of the steps taken by laboratories and diagnostic test manufacturers to validate diagnostic tests, as well as the evidence collected by such entities to support validation; and

(7) based on available reports, an assessment of the accuracy and sensitivity of a representative sample of available diagnostic tests.

(d) Definition
In this section, the term diagnostic test means an in vitro diagnostic product (as defined in section 809.3(a) of title 21, Code of Federal Regulations) for

(1) the detection of SARS-CoV-2;

(2) the diagnosis of the virus that causes COVID-19; or

(3) the detection

of antibodies specific to SARS-CoV-2, such as a serological test.

Public health data system transformation
 Subtitle C of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh-31 et seq.) is amended by adding at the end the following:

OLC display-inline="no-display-inline"
 id="H540F7DE93FB04B9686841F5FE43E6CF3">

Public health data system transformation

(a) Expanding CDC and public health department capabilities

(1) In general The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall

(A) conduct activities to expand, enhance, and improve applicable public health data systems used by the Centers for Disease Control and Prevention, related to the interoperability and improvement of such systems (including as it relates to preparedness for, prevention and detection of, and response to public health emergencies); and

(B) award grants or cooperative agreements to State, local, Tribal, or territorial public health departments for the expansion and modernization of public health data systems, to assist public health departments in

(i) assessing current data infrastructure capabilities and gaps to improve and increase consistency in data collection, storage, and analysis and, as appropriate, to improve dissemination of public health-related information;

(ii) improving secure public health data collection, transmission, exchange, maintenance, and analysis;

(iii) improving the secure exchange of data between the Centers for Disease Control and Prevention, State, local, Tribal, and territorial public health departments, public health organizations, and health care providers, including by public health officials in multiple jurisdictions within such State, as appropriate, and by simplifying and supporting reporting by health care providers, as applicable, pursuant to State law, including through the use of health information technology;

(iv) enhancing the interoperability of public health data systems (including systems created or accessed by public health departments) with health information technology, including with health information technology certified under section 3001(c)(5);

(v) supporting and training data systems, data science, and informatics personnel;

(vi) supporting earlier disease and health condition detection, such as through near real-time data monitoring, to support rapid public health responses;

<clause id="H9D1CFE7477804543B45F6B86EFE2A86C"
commented="no"><enum>(vii)</enum><text>supporting activities within the applicable
jurisdiction related to the expansion and modernization of electronic case reporting;
and</text></clause>

<clause id="HCF43CB3C9E4744AB8FB7E7555A2ECA87"
commented="no"><enum>(viii)</enum><text>developing and disseminating information
related to the use and importance of public health
data.</text></clause></subparagraph></paragraph>

<paragraph id="HFE04C577169B49019A7348960890EB64"
commented="no"><enum>(2)</enum><header>Data standards</header><text>In carrying out
paragraph (1), the Secretary, acting through the Director of the Centers for Disease
Control and Prevention, shall, as appropriate and in consultation with the Office of
the National Coordinator for Health Information Technology, designate data and
technology standards (including standards for interoperability) for public health data
systems, with deference given to standards published by consensus-based standards
development organizations with public input and voluntary consensus-based standards
bodies.</text></paragraph>

<paragraph id="HD50B0ACC2ED34A9188457C184FA169A0"
commented="no"><enum>(3)</enum><header>Public-private partnerships</header><text>The
Secretary may develop and utilize public-private partnerships for technical assistance,
training, and related implementation support for State, local, Tribal, and territorial
public health departments, and the Centers for Disease Control and Prevention, on the
expansion and modernization of electronic case reporting and public health data
systems, as applicable.</text></paragraph></subsection>

<subsection id="HFF9FDB68A4514F9B9CC063C29BF1D0B0"
commented="no"><enum>(b)</enum><header>Requirements</header>

<paragraph id="H1B2651640F6446CD9823BE4EC42F416F"
commented="no"><enum>(1)</enum><header>Health information technology
standards</header><text>The Secretary may not award a grant or cooperative agreement
under subsection (a) (1) (B) unless the applicant uses or agrees to use standards
endorsed by the National Coordinator for Health Information Technology pursuant to
section 3001(c) (1) or adopted by the Secretary under section 3004.</text></paragraph>

<paragraph id="H8531B2017D2A449089D7CFB2A2196CC5"
commented="no"><enum>(2)</enum><header>Waiver</header><text>The Secretary may waive the
requirement under paragraph (1) with respect to an applicant if the Secretary
determines that the activities under subsection (a) (1) (B) cannot otherwise be carried
out within the applicable jurisdiction.</text></paragraph>

<paragraph id="H2FB12B5C32204C5C87950DF910525E12"
commented="no"><enum>(3)</enum><header>Application</header><text>A State, local,
Tribal, or territorial health department applying for a grant or cooperative agreement
under this section shall submit an application to the Secretary at such time and in
such manner as the Secretary may require. Such application shall include information
describingâ€"</text>

<subparagraph id="H6C5201B372F04494BE11AFD117FA98BD"
commented="no"><enum>(A)</enum><text>the activities that will be supported by the grant
or cooperative agreement; and</text></subparagraph>

<subparagraph id="H58188B4CA57F446D8F28512DABC029EB"
commented="no"><enum>(B)</enum><text>how the modernization of the public health data
systems involved will support or impact the public health infrastructure of the health
department, including a description of remaining gaps, if any, and the actions needed
to address such gaps.</text></subparagraph></paragraph></subsection>

<subsection id="HBC573BF6113C470084D907934F215988"
commented="no"><enum>(c)</enum><header>Strategy and implementation
plan</header><text>Not later than 180 days after the date of enactment of this section,
the Secretary, acting through the Director of the Centers for Disease Control and
Prevention, shall submit to the Committee on Health, Education, Labor and Pensions of
the Senate and the Committee on Energy and Commerce of the House of Representatives a
coordinated strategy and an accompanying implementation plan that identifies and
demonstrates the measures the Secretary will utilize toâ€"</text>

<paragraph id="H6210374F460447D09A4EEC1620A061E5"
commented="no"><enum>(1)</enum><text>update and improve applicable public health data
systems used by the Centers for Disease Control and Prevention; and</text></paragraph>

<paragraph id="H8C07C0703B084A278ED1650E968A1422"
commented="no"><enum>(2)</enum><text>carry out the activities described in this section
to support the improvement of State, local, Tribal, and territorial public health data
systems.</text></paragraph></subsection>

<subsection id="HF5C062E1B7BF4AB6BD8BC45B8D4CC8EB"
commented="no"><enum>(d)</enum><header>Consultation</header><text>The Secretary, acting
through the Director of the Centers for Disease Control and Prevention, shall consult
with State, local, Tribal, and territorial health departments, professional medical and
public health associations, associations representing hospitals or other health care
entities, health information technology experts, and other appropriate public or
private entities regarding the plan and grant program to modernize public health data
systems pursuant to this section. Activities under this subsection may include the
provision of technical assistance and training related to the exchange of information
by such public health data systems used by relevant health care and public health
entities at the local, State, Federal, Tribal, and territorial levels, and the
development and utilization of public-private partnerships for implementation support
applicable to this section.</text></subsection>

<subsection id="H505D0990DB864AAB83076B734744FE88"
commented="no"><enum>(e)</enum><header>Report to Congress</header><text>Not later than
1 year after the date of enactment of this section, the Secretary shall submit a report
to the Committee on Health, Education, Labor and Pensions of the Senate and the
Committee on Energy and Commerce of the House of Representatives that
includesâ€"</text>

<paragraph id="HFA4632F358AA48088110A53350B8DD92"
commented="no"><enum>(1)</enum><text>a description of any barriers toâ€"</text>

<subparagraph id="H33F2AA74F840432FBB7FFD7E1C477225"
commented="no"><enum>(A)</enum><text>public health authorities implementing
interoperable public health data systems and electronic case
reporting;</text></subparagraph>

<subparagraph id="HD26086DC40744272BCD53C607DC927A5"
commented="no"><enum>(B)</enum><text>the exchange of information pursuant to electronic
case reporting; or</text></subparagraph>

<subparagraph id="H2B7CD469937A4DAFB2D47BEF4622627F"
commented="no"><enum>(C)</enum><text>reporting by health care providers using such
public health data systems, as appropriate, and pursuant to State
law;</text></subparagraph></paragraph>

<paragraph id="H41BCEFF6A29D47EEBB99954097119588"
commented="no"><enum>(2)</enum><text>an assessment of the potential public health
impact of implementing electronic case reporting and interoperable public health data
systems; and</text></paragraph>

<paragraph id="H6603804D6993461B8CA6C1C530A212F5"
commented="no"><enum>(3)</enum><text>a description of the activities carried out
pursuant to this section.</text></paragraph></subsection>

<subsection id="HB7EF63FB6D4841AEBFB97CEBC2A57CCE"
commented="no"><enum>(f)</enum><header>Electronic case reporting</header><text>In this
section, the term <term>electronic case reporting</term> means the automated
identification, generation, and bilateral exchange of reports of health events among
electronic health record or health information technology systems and public health
authorities.</text></subsection>

<subsection id="H2E470D004C4E43F4AA5845F2D05C0354"
commented="no"><enum>(g)</enum><header>Authorization of appropriations</header><text
display-inline="yes-display-inline">To carry out this section, there are authorized to
be appropriated \$450,000,000 to remain available until
expended.</text></subsection></section><after-quoted-block></after-quoted-
block></quoted-block></section>

<section id="H082B7542591A4D2DBFAFF21DCFF27832"><enum>30549.</enum><header>Pilot program to improve laboratory infrastructure</header>

<subsection id="HE589F08347CA4908AECBFB17E252B767"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary shall award grants to States and political subdivisions of States to support the improvement, renovation, or modernization of infrastructure at clinical laboratories (as defined in section 353 of the Public Health Service Act (42 U.S.C. 263a)) that will help to improve SARS-CoV-2 and COVID-19 testing and response activities, including the expansion and enhancement of testing capacity at such laboratories.</text></subsection>

<subsection id="HD0DD983612FF4278A87ACD2459C28281"><enum>(b)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">To carry out this section, there is authorized to be appropriated \$1,000,000,000 to remain available until expended.</text></subsection></section>

<section id="H7F2C23B0A6E944538B918FB235FDF45B" commented="no"><enum>30550.</enum><header>Core public health infrastructure for State, local, Tribal, and territorial health departments</header>

<subsection id="H5DA22A99CEB94614B36543B96BE648DE" commented="no"><enum>(a)</enum><header>Program</header><text>The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall establish a core public health infrastructure program consisting of awarding grants under subsection (b).</text></subsection>

<subsection id="HFBC7F0AFD32B444DB6A2E2397BB80521" commented="no"><enum>(b)</enum><header>Grants</header>

<paragraph id="H932716EEAC68404EB180951CBD6DF089" commented="no"><enum>(1)</enum><header>Award</header><text>For the purpose of addressing core public health infrastructure needs, the Secretaryâ€</text>

<subparagraph id="H6BACFF1B3DF04177BD87442144EF6243" commented="no"><enum>(A)</enum><text>shall award a grant to each State health department; and</text></subparagraph>

<subparagraph id="HEABDB535DC384218AC0E449743B258C6" commented="no"><enum>(B)</enum><text>may award grants on a competitive basis to State, local, Tribal, or territorial health departments.</text></subparagraph></paragraph>

<paragraph id="H404F3A917C0842E5BCF41DA056FBA890" commented="no"><enum>(2)</enum><header>Allocation</header><text>Of the total amount of funds awarded as grants under this subsection for a fiscal yearâ€</text>

<subparagraph id="HDBBC396A93DB4AB68E7BA4B3D5B3851A" commented="no"><enum>(A)</enum><text>not less than 50 percent shall be for grants to State health departments under paragraph (1) (A); and</text></subparagraph>

<subparagraph id="HAE4B324BCA6B4E70A2B2B32BB2561026" commented="no"><enum>(B)</enum><text display-inline="yes-display-inline">not less than 30 percent shall be for grants to State, local, Tribal, or territorial health departments under paragraph (1) (B). </text></subparagraph></paragraph></subsection>

<subsection id="HB637F07510844EB78240FAB3CBA9CE28"><enum>(c)</enum><header>Use of funds</header><text display-inline="yes-display-inline">A State, local, Tribal, or territorial health department receiving a grant under subsection (b) shall use the grant funds to address core public health infrastructure needs, including those identified in the accreditation process under subsection (g).</text></subsection>

<subsection id="HCB8559010AA549C3A87079954B8BCF58" commented="no"><enum>(d)</enum><header>Formula grants to State health departments</header><text>In making grants under subsection (b) (1) (A), the Secretary shall award funds to each State health department in accordance withâ€</text>

<paragraph id="H20B9A93395AB49D9AD7EE2237F9DF58E" commented="no"><enum>(1)</enum><text>a formula based on population size; burden of preventable disease and disability; and core public health infrastructure gaps, including those identified in the accreditation process under subsection (g);

and</text></paragraph>

<paragraph id="H3BC03F1700E64CC385AC56A9C2AF12E1"
commented="no"><enum>(2)</enum><text>application requirements established by the Secretary, including a requirement that the State health department submit a plan that demonstrates to the satisfaction of the Secretary that the State's health department will

<subparagraph id="HB4D12B94EFA945A281C0819135F86229"
commented="no"><enum>(A)</enum><text>address its highest priority core public health infrastructure needs; and</text></subparagraph>

<subparagraph id="H12F893D800674CB5997AA39CEFA4E9A7"
commented="no"><enum>(B)</enum><text>as appropriate, allocate funds to local health departments within the State.</text></subparagraph></paragraph></subsection>

<subsection id="H6ADDD959BADB425395D457F746B7CEA7"
commented="no"><enum>(e)</enum><header>Competitive grants to State, local, Tribal, and territorial health departments</header><text>In making grants under subsection (b)(1)(B), the Secretary shall give priority to applicants demonstrating core public health infrastructure needs identified in the accreditation process under subsection (g).</text></subsection>

<subsection id="H2ED379ACC7584566BE2CA413E4EA529B"
commented="no"><enum>(f)</enum><header>Maintenance of effort</header><text>The Secretary may award a grant to an entity under subsection (b) only if the entity demonstrates to the satisfaction of the Secretary that

<paragraph id="HC8333391A0BB475AB3492123FB8EF1AF"
commented="no"><enum>(1)</enum><text>funds received through the grant will be expended only to supplement, and not supplant, non-Federal and Federal funds otherwise available to the entity for the purpose of addressing core public health infrastructure needs; and</text></paragraph>

<paragraph id="H1E7D32B063944081A911BB845168C83D"
commented="no"><enum>(2)</enum><text>with respect to activities for which the grant is awarded, the entity will maintain expenditures of non-Federal amounts for such activities at a level not less than the level of such expenditures maintained by the entity for the fiscal year preceding the fiscal year for which the entity receives the grant.</text></paragraph></subsection>

<subsection id="H6F1BAACF5FD04D0BBF19F2590A259021"
commented="no"><enum>(g)</enum><header>Establishment of a public health accreditation program</header>

<paragraph id="H9DA26E62036445479F27DDC3BF7A7137"
commented="no"><enum>(1)</enum><header>In general</header><text>The Secretary shall

<subparagraph id="H827A6D27F1574144AF08C3A15507F9C0"
commented="no"><enum>(A)</enum><text display-inline="yes-display-inline">develop, and periodically review and update, standards for voluntary accreditation of State, local, Tribal, and territorial health departments and public health laboratories for the purpose of advancing the quality and performance of such departments and laboratories; and</text></subparagraph>

<subparagraph id="HD6B26AC6BA6F44E989B59E07019D53E2"
commented="no"><enum>(B)</enum><text>implement a program to accredit such health departments and laboratories in accordance with such standards.</text></subparagraph></paragraph>

<paragraph id="H8C558D0357ED47A085FF88A85DCF5B37"
commented="no"><enum>(2)</enum><header>Cooperative agreement</header><text>The Secretary may enter into a cooperative agreement with a private nonprofit entity to carry out paragraph (1).</text></paragraph></subsection>

<subsection id="HA7BD0C8EF3304CBBB909A6928214FE63"
commented="no"><enum>(h)</enum><header>Report</header><text>The Secretary shall submit to the Congress an annual report on progress being made to accredit entities under subsection (g), including

<paragraph id="H70B45704932B494FB50017E7EC00868E" commented="no"><enum>(1)</enum><text>a strategy, including goals and objectives, for accrediting entities under subsection (g) and achieving the purpose described in subsection (g) (1) (A);</text></paragraph>

<paragraph id="HEAD6DF5807424E8DB774F33C8FCC3C37" commented="no"><enum>(2)</enum><text>identification of gaps in research related to core public health infrastructure; and</text></paragraph>

<paragraph id="HF66C44A481D24790A7D547EB55D9AC67"><enum>(3)</enum><text>recommendations of priority areas for such research.</text></paragraph></subsection>

<subsection id="HB3765E2CB95D47529F29ABDE0292A99D" commented="no"><enum>(i)</enum><header>Definition</header><text>In this section, the term <term>core public health infrastructure</term> includesâ€</text>

<paragraph id="HA4C227CB009A4232B7E4314D55595382" commented="no"><enum>(1)</enum><text>workforce capacity and competency;</text></paragraph>

<paragraph id="HE4B8BA90D6CB427AB22E086966DBA755" commented="no"><enum>(2)</enum><text>laboratory systems;</text></paragraph>

<paragraph id="H973CC0556ED544109AF0B0CBBD131E83" commented="no"><enum>(3)</enum><text display-inline="yes-display-inline">testing capacity, including test platforms, mobile testing units, and personnel;</text></paragraph>

<paragraph id="H187AFA861FB148AE85A5F51FEB6D6AD1" commented="no"><enum>(4)</enum><text>health information, health information systems, and health information analysis;</text></paragraph>

<paragraph id="H200C3F7841AF439BB9800933F3482031" commented="no"><enum>(5)</enum><text>disease surveillance;</text></paragraph>

<paragraph id="HFE9DCF40C4B340A992F22CD443A17295"><enum>(6)</enum><text display-inline="yes-display-inline">contact tracing;</text></paragraph>

<paragraph id="H56C7FC808016426BAD388DAE0DFA807" commented="no"><enum>(7)</enum><text>communications;</text></paragraph>

<paragraph id="HAE32C34E47AE42F8B2E1B888F6CDFF7A" commented="no"><enum>(8)</enum><text>financing;</text></paragraph>

<paragraph id="H0FC4FBBF1F36444898C82BD58AFC02778" commented="no"><enum>(9)</enum><text>other relevant components of organizational capacity; and</text></paragraph>

<paragraph id="H18F6F0C048BF4564A2092DADF7E79B46" commented="no"><enum>(10)</enum><text>other related activities.</text></paragraph></subsection>

<subsection id="H4D11BE573BCE428EB60773C200669C39" commented="no"><enum>(j)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">To carry out this section, there are authorized to be appropriated \$6,000,000,000, to remain available until expended.</text></subsection></section>

<section id="H56BA61B7A4E2408E8E92796F6A2BAF27"><enum>30551.</enum><header>Core public health infrastructure and activities for CDC</header>

<subsection id="H48E8F4C318C04FAD870E7120D92F0D95"><enum>(a)</enum><header>In general</header><text>The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall expand and improve the core public health infrastructure and activities of the Centers for Disease Control and Prevention to address unmet and emerging public health needs.</text></subsection>

<subsection id="H25EE841FCDA94706A42663BD2A61DA9D"><enum>(b)</enum><header>Report</header><text>The Secretary shall submit to the Congress an annual report on the activities funded through this section.</text></subsection>

<subsection

id="HDD15E0BA0F194273B12A2ACD130922A7"><enum>(c)</enum><header>Definition</header><text>In this section, the term <term>core public health infrastructure</term> has the meaning given to such term in section 30550.</text></subsection>

<subsection commented="no"

id="H781512EE97F24497A20C0F642B1669BB"><enum>(d)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">To carry out this section, there is authorized to be appropriated \$1,000,000,000, to remain available until expended.</text></subsection></section></subtitle>

<subtitle id="H5D216BE740284CA391AD3305245C5984"><enum>D</enum><header>COVIDâ€"19 National Testing and Contact Tracing Initiative</header>

<section id="HB45965D0AA5943AFA01867817AD53698"><enum>30561.</enum><header>National system for COVIDâ€"19 testing, contact tracing, surveillance, containment, and mitigation</header>

<subsection id="H39E37C3AE02B4BACBBA28727166B0EB6"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary, acting through the Director of the Centers for Disease Control and Prevention, and in coordination with State, local, Tribal, and territorial health departments, shall establish and implement a nationwide evidence-based system forâ€"</text>

<paragraph id="H5D3C68B0204A4B1BAB909AB335E4257D"><enum>(1)</enum><text>testing, contact tracing, surveillance, containment, and mitigation with respect to COVIDâ€"19;</text></paragraph>

<paragraph id="H6E7EBA6CB83D4C8D96746F3192D0EE58"><enum>(2)</enum><text>offering guidance on voluntary isolation and quarantine of individuals infected with, or exposed to individuals infected with, the virus that causes COVIDâ€"19; and</text></paragraph>

<paragraph id="H9C56159B993F4A479FF8138F1D2412BF"><enum>(3)</enum><text display-inline="yes-display-inline">public reporting on testing, contact tracing, surveillance, and voluntary isolation and quarantine activities with respect to COVIDâ€"19.</text></paragraph></subsection>

<subsection id="HCFF32674401A4A48BF858016CAA33880"><enum>(b)</enum><header>Coordination; technical assistance</header><text display-inline="yes-display-inline">In carrying out the national system under this section, the Secretary shallâ€"</text>

<paragraph id="H54EFB819BF5B4CFF8F4E39260285E51B"><enum>(1)</enum><text display-inline="yes-display-inline">coordinate State, local, Tribal, and territorial activities related to testing, contact tracing, surveillance, containment, and mitigation with respect to COVIDâ€"19, as appropriate; and</text></paragraph>

<paragraph id="H5CE8D43E5B224883BAA1D32E758E32A0"><enum>(2)</enum><text>provide technical assistance for such activities, as appropriate.</text></paragraph></subsection>

<subsection id="H856609AE20BA442489887A339BE67AA5"><enum>(c)</enum><header>Consideration</header><text>In establishing and implementing the national system under this section, the Secretary shall take into considerationâ€"</text>

<paragraph id="H6AB0198D891D4FE8AB83166B61799AB2"><enum>(1)</enum><text display-inline="yes-display-inline">the State plans referred to in the heading <quote>Public Health and Social Services Emergency Fund</quote> in title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139); and</text></paragraph>

<paragraph id="HD053D0649EB146C59899C23782E7BE6B"><enum>(2)</enum><text>the testing strategy submitted under section 30541.</text></paragraph></subsection>

<subsection id="H6AB7B172B0B94B25B635239BAAF60D4E" commented="no"><enum>(d)</enum><header>Reporting</header><text display-inline="yes-display-inline">The Secretary shallâ€"</text>

<paragraph id="H97145D4D1D684703AC26645F3AF2A16F"><enum>(1)</enum><text display-inline="yes-display-inline">not later than December 31, 2020, submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health,

Education, Labor and Pensions a preliminary report on the effectiveness of the activities carried out pursuant to this subtitle; and</text></paragraph>

<paragraph id="H693E688BA73B4CF8985FEC0FD037DF5F"><enum>(2)</enum><text>not later than December 21, 2021, submit to such committees a final report on such effectiveness.</text></paragraph></subsection></section>

<section id="H50F66E27A63345058CE9AF13589191BC" commented="no"><enum>30562.</enum><header>Grants</header>

<subsection id="HC5EB858AFB3E4C47BCA9AE12D4451304" commented="no"><enum>(a)</enum><header>In general</header><text>To implement the national system under section 30561, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall, subject to the availability of appropriations, award grants to State, local, Tribal, and territorial health departments that seek grants under this section to carry out coordinated testing, contact tracing, surveillance, containment, and mitigation with respect to COVIDâ€"19, includingâ€"</text>

<paragraph id="H3C98FC59E38140718D27846EBB49FCF5" commented="no"><enum>(1)</enum><text>diagnostic and surveillance testing and reporting;</text></paragraph>

<paragraph id="HFFA13172D15D4957A1292B603F8523E4"><enum>(2)</enum><text display-inline="yes-display-inline">community-based contact tracing efforts; and</text></paragraph>

<paragraph id="H2D837D89C9FE4CF3B6D345ADC712F7B9" commented="no"><enum>(3)</enum><text display-inline="yes-display-inline">policies related to voluntary isolation and quarantine of individuals infected with, or exposed to individuals infected with, the virus that causes COVIDâ€"19.</text></paragraph></subsection>

<subsection id="HD92CB40F118B4DA7A08B23324BEB03B0" commented="no"><enum>(b)</enum><header>Flexibility</header><text display-inline="yes-display-inline">The Secretary shall ensure thatâ€"</text>

<paragraph id="H2555DBB3715342BE923F319EA6198F77"><enum>(1)</enum><text>the grants under subsection (a) provide flexibility for State, local, Tribal, and territorial health departments to modify, establish, or maintain evidence-based systems; and</text></paragraph>

<paragraph id="H24A050F753FA495A8227B55533167D69"><enum>(2)</enum><text display-inline="yes-display-inline">local health departments receive funding from State health departments or directly from the Centers for Disease Control and Prevention to contribute to such systems, as appropriate.</text></paragraph></subsection>

<subsection id="H3623F9D6BA7C4512885A8A17175C92E5"><enum>(c)</enum><header>Allocations</header>

<paragraph id="H371DC0EAE9CF94D699BC3E71921B971C1"><enum>(1)</enum><header>Formula</header><text display-inline="yes-display-inline">The Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall allocate amounts made available pursuant to subsection (a) in accordance with a formula to be established by the Secretary that provides a minimum level of funding to each State, local, Tribal, and territorial health department that seeks a grant under this section and allocates additional funding based on the following prioritization:</text>

<subparagraph id="H1C2B8074BCF24CDBABE6D24B5F4E5FA5"><enum>(A)</enum><text>The Secretary shall give highest priority to applicants proposing to serve populations in one or more geographic regions with a high burden of COVIDâ€"19 based on data provided by the Centers for Disease Control and Prevention, or other sources as determined by the Secretary.</text></subparagraph>

<subparagraph id="HDE353A57547C476483C322FD53440D0E"><enum>(B)</enum><text display-inline="yes-display-inline">The Secretary shall give second highest priority to applicants preparing for, or currently working to mitigate, a COVIDâ€"19 surge in a geographic region that does not yet have a high number of reported cases of COVIDâ€"19 based on data provided by the Centers for Disease Control and Prevention, or other sources as determined by the Secretary.</text></subparagraph>

<subparagraph id="HC3E67FBE2C754B37AEEB657C2A9B5A0C"><enum>(C)</enum><text>The Secretary shall give third highest priority to applicants proposing to serve high numbers of low-income and uninsured populations, including medically underserved populations (as defined in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3))), health professional shortage areas (as defined under section 332(a) of the Public Health Service Act (42 U.S.C. 254e(a))), racial and ethnic minorities, or geographically diverse areas, as determined by the Secretary.</text></subparagraph></paragraph>

<paragraph id="HAF8B7913A94147DFBDD812AB302086CC"><enum>(2)</enum><header>Notification</header><text display-inline="yes-display-inline">Not later than the date that is one week before first awarding grants under this section, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a notification detailing the formula established under paragraph (1) for allocating amounts made available pursuant to subsection (a).</text></paragraph></subsection>

<subsection id="H75685EA33E274F978A691E5CCA14DC3F" commented="no"><enum>(d)</enum><header>Use of funds</header><text display-inline="yes-display-inline">A State, local, Tribal, and territorial health department receiving a grant under this section shall, to the extent possible, use the grant funds for the following activities, or other activities deemed appropriate by the Director of the Centers for Disease Control and Prevention:</text>

<paragraph id="H601681F14C3E43658E12EDAFF7CF5A0" commented="no"><enum>(1)</enum><header>Testing</header><text display-inline="yes-display-inline">To implement a coordinated testing system thatâ€</text>

<subparagraph id="H7ED38E353E834E1783F4A2669F779A6B"><enum>(A)</enum><text display-inline="yes-display-inline">leverages or modernizes existing testing infrastructure and capacity;</text></subparagraph>

<subparagraph id="H3A412C075F3D4543A907B21E0914325D"><enum>(B)</enum><text display-inline="yes-display-inline">is consistent with the updated testing strategy required under section 30541;</text></subparagraph>

<subparagraph id="HBE99DE0E60654C719C785EC25A75F42B"><enum>(C)</enum><text>is coordinated with the State plan for COVIDâ€19 testing prepared as required under the heading <quote>Department of Health and Human Servicesâ€Office of the Secretaryâ€Public Health and Social Service Emergency Fund</quote> in title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€139; 134 Stat. 620, 624);</text></subparagraph>

<subparagraph id="H234D14C1895E48C0B4C5300D80C6F093"><enum>(D)</enum><text>is informed by contact tracing and surveillance activities under this subtitle;</text></subparagraph>

<subparagraph id="H75EE4AC1ABCB475D8B86D9314995E6D8" commented="no"><enum>(E)</enum><text>is informed by guidelines established by the Centers for Disease Control and Prevention for which populations should be tested;</text></subparagraph>

<subparagraph id="H129E7F603E6D4312927C2F97351E638F" commented="no"><enum>(F)</enum><text>identifies how diagnostic and serological tests in such system shall be validated prior to use;</text></subparagraph>

<subparagraph id="H66ED8F8013CC4C09A713443C4EC4D45F" commented="no"><enum>(G)</enum><text>identifies how diagnostic and serological tests and testing supplies will be distributed to implement such system;</text></subparagraph>

<subparagraph id="HECE45C42F34247288D4619B7ADD91023" commented="no"><enum>(H)</enum><text>identifies specific strategies for ensuring testing capabilities and accessibility in medically underserved populations (as defined in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3))), health professional shortage areas (as defined under section 332(a) of the Public Health Service Act (42 U.S.C. 254e(a))), racial and ethnic minority populations, and geographically diverse areas, as determined by the Secretary;</text></subparagraph>

<subparagraph id="H33C4EC3C829C4766957189E82E96FAD1" commented="no"><enum>(I)</enum><text display-inline="yes-display-inline">identifies how testing may be used, and results may be reported, in both health care settings (such as hospitals, laboratories for moderate or high-complexity testing, pharmacies, mobile testing units, and community health centers) and non-health care settings (such as workplaces, schools, childcare centers, or drive-throughs);</text></subparagraph>

<subparagraph id="H2A78D655B492431CBD9E8B4E51AEB452" commented="no"><enum>(J)</enum><text>allows for testing in sentinel surveillance programs, as appropriate; and</text></subparagraph>

<subparagraph id="H3B75DFFD4F5B436A85AF8D67C9BD8D52" commented="no"><enum>(K)</enum><text>supports the procurement and distribution of diagnostic and serological tests and testing supplies to meet the goals of the system.</text></subparagraph></paragraph>

<paragraph id="H18A9C7EFEE4B4CABA8A58F57382A9D00" commented="no"><enum>(2)</enum><header>Contact tracing</header><text>To implement a coordinated contact tracing system thatâ€</text>

<subparagraph id="H71A5AEA305C94A5E89ED3407870B1BE3"><enum>(A)</enum><text>leverages or modernizes existing contact tracing systems and capabilities, including community health workers, health departments, and Federally qualified health centers;</text></subparagraph>

<subparagraph id="H281EA1F2366E47E88B07CA898003B821" commented="no"><enum>(B)</enum><text display-inline="yes-display-inline">is able to investigate cases of COVIDâ€"19, and help to identify other potential cases of COVIDâ€"19, through tracing contacts of individuals with positive diagnoses;</text></subparagraph>

<subparagraph id="H4A76C05A4A564957A812B690A6E81E29" commented="no"><enum>(C)</enum><text display-inline="yes-display-inline">establishes culturally competent and multilingual strategies for contact tracing, which may include consultation with and support for cultural or civic organizations with established ties to the community;</text></subparagraph>

<subparagraph id="HAEDE8F87D93C4B35999EF71209E5D91B" commented="no"><enum>(D)</enum><text>provides individuals identified under the contact tracing program with information and support for containment or mitigation;</text></subparagraph>

<subparagraph id="H523A1C73F46C4B57918673E51DB01FB4" commented="no"><enum>(E)</enum><text display-inline="yes-display-inline">enables State, local, Tribal, and territorial health departments to work with a nongovernmental, community partner or partners and State and local workforce development systems (as defined in section 3(67) of Workforce Innovation and Opportunity Act (29 U.S.C. 3102(67))) receiving grants under section 30566(b) of this Act to hire and compensate a locally-sourced contact tracing workforce, if necessary, to supplement the public health workforce, toâ€</text>

<clause id="H4C8D6E37F888462C833CF490E40192F3" commented="no"><enum>(i)</enum><text display-inline="yes-display-inline">identify the number of contact tracers needed for the respective State, locality, territorial, or Tribal health department to identify all cases of COVIDâ€"19 currently in the jurisdiction and those anticipated to emerge over the next 18 months in such jurisdiction;</text></clause>

<clause id="H8F73D4260BF64C23A44A104AC9B0ACA2" commented="no"><enum>(ii)</enum><text>outline qualifications necessary for contact tracers;</text></clause>

<clause id="H42582640BE444AC5A3CB29D33AD5BCF1" commented="no"><enum>(iii)</enum><text>train the existing and newly hired public health workforce on best practices related to tracing close contacts of individuals diagnosed with COVIDâ€"19, including the protection of individual privacy and cybersecurity protection; and</text></clause>

<clause id="H58CC20855D0548829FE2DA8834FE6725" commented="no"><enum>(iv)</enum><text>equip the public health workforce with tools and resources to enable a rapid response to new cases;</text></clause></subparagraph>

<subparagraph id="H5E7A3845E6A243E78EC636305AD1EDE8" commented="no"><enum>(F)</enum><text>identifies the level of contact tracing needed within the State, locality, territory, or Tribal area to contain and mitigate the transmission of COVIDâ€"19;</text></subparagraph>

<subparagraph id="HBC47D3E9FBAF49449711DE12ABA4928B"><enum>(G)</enum><text display-inline="yes-display-inline">establishes statewide mechanisms to integrate regular evaluation to the Centers for Disease Control and Prevention regarding contact tracing efforts, makes such evaluation publicly available, and to the extent possible provides for such evaluation at the county level; and</text></subparagraph>

<subparagraph id="HD78285D21DA048C59BCBC40132B37C2F" commented="no"><enum>(H)</enum><text>identifies specific strategies for ensuring contact tracing activities in medically underserved populations (as defined in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3))), health professional shortage areas (as defined under section 332(a) of the Public Health Service Act (42 U.S.C. 254e(a))), racial and ethnic minority populations, and geographically diverse areas, as determined by the Secretary.</text></subparagraph></paragraph>

<paragraph id="H25E76A83E65E47FDB2DF692F014553FF" commented="no"><enum>(3)</enum><header>Surveillance</header><text>To strengthen the existing public health surveillance system thatâ€"</text>

<subparagraph id="HC6D81E0D8677459EA88A3864ECB0DD7A"><enum>(A)</enum><text display-inline="yes-display-inline">leverages or modernizes existing surveillance systems within the respective State, local, Tribal, or territorial health department and national surveillance systems;</text></subparagraph>

<subparagraph id="H251422E267524270B6F18B20EA85880E" commented="no"><enum>(B)</enum><text>detects and identifies trends in COVIDâ€"19 at the county level;</text></subparagraph>

<subparagraph id="H28C42668D8BE48EC8CA92C3EF43CCB7D" commented="no"><enum>(C)</enum><text>evaluates State, local, Tribal, and territorial health departments in achieving surveillance capabilities with respect to COVIDâ€"19;</text></subparagraph>

<subparagraph id="HC248998D8A624DC49540CA69543EE0B7"><enum>(D)</enum><text display-inline="yes-display-inline">integrates and improves disease surveillance and immunization tracking; and</text></subparagraph>

<subparagraph id="HAA02892A42B04BE68A923449B95A6271" commented="no"><enum>(E)</enum><text>identifies specific strategies for ensuring disease surveillance in medically underserved populations (as defined in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3))), health professional shortage areas (as defined under section 332(a) of the Public Health Service Act (42 U.S.C. 254e(a))), racial and ethnic minority populations, and geographically diverse areas, as determined by the Secretary.</text></subparagraph></paragraph>

<paragraph id="H14D988B9D9444C80BBF3822D4176C309" commented="no"><enum>(4)</enum><header>Containment and mitigation</header><text>To implement a coordinated containment and mitigation system thatâ€"</text>

<subparagraph id="H8130268CFC1149D6919719814E4569EC"><enum>(A)</enum><text display-inline="yes-display-inline">leverages or modernizes existing containment and mitigation strategies within the respective State, local, Tribal, or territorial governments and national containment and mitigation strategies;</text></subparagraph>

<subparagraph id="H6B07163CBDC040C889D08130A55AC6E2"><enum>(B)</enum><text>may provide for, connect to, and leverage existing social services and support for individuals who have been infected with or exposed to COVIDâ€"19 and who are isolated or quarantined in their homes, such as throughâ€"</text>

<clause id="H8F0D4617EB7F4580A458557A97FDF756"><enum>(i)</enum><text>food assistance programs;</text></clause>

<clause id="H2FA4DE928BDA4618AD6AA77179FC8B66"><enum>(ii)</enum><text>guidance for household infection control;</text></clause>

<clause id="H655D5193539B4BF8BF25D27FC27B3B01"><enum>(iii)</enum><text>information and assistance with childcare services; and</text></clause>

<clause id="HA62B1DDA72B748D1AAD8FCA193D59F02"><enum>(iv)</enum><text>information and assistance pertaining to support available under the CARES Act (Public Law 116â€"136) and this Act;</text></clause></subparagraph>

<subparagraph id="HF9EB839CE8C4442B993DB094128EC792" commented="no"><enum>(C)</enum><text>provides guidance on the establishment of safe, high-quality, facilities for the voluntary isolation of individuals infected with, or quarantine of the contacts of individuals exposed to COVIDâ€"19, where hospitalization is not required, which facilities shouldâ€"</text>

<clause id="H98C3D1A3FB7A47639922FA43A1FCA050" commented="no"><enum>(i)</enum><text>be prohibited from making inquiries relating to the citizenship status of an individual isolated or quarantined; and</text></clause>

<clause id="H7999190508044CE78BCFAA2A07780027" commented="no"><enum>(ii)</enum><text>be operated by a non-Federal, community partner or partners thatâ€"</text>

<subclause id="HB2FD2443AFC94103B44BF8AF20BDA85D" commented="no"><enum>(I)</enum><text>have previously established relationships in localities; </text></subclause>

<subclause id="H47AA0B6F8F8C4EF0A869C8D784A90C5D" commented="no"><enum>(II)</enum><text>work with local places of worship, community centers, medical facilities, and schools to recruit local staff for such facilities; and</text></subclause>

<subclause id="H4BEF5AB441914703810E0547E3D42D6B"><enum>(III)</enum><text display-inline="yes-display-inline">are fully integrated into State, local, Tribal, or territorial containment and mitigation efforts; and</text></subclause></clause></subparagraph>

<subparagraph id="H133B685C416249B88D1D41ABC26E0065" commented="no"><enum>(D)</enum><text>identifies specific strategies for ensuring containment and mitigation activities in medically underserved populations (as defined in section 330(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)(3))), health professional shortage areas (as defined under section 332(a) of the Public Health Service Act (42 U.S.C. 254e(a))), racial and ethnic minority populations, and geographically diverse areas, as determined by the Secretary.</text></subparagraph></paragraph></subsection>

<subsection id="H25E42E20621840F38A076A8076B58C2C" commented="no"><enum>(e)</enum><header>Reporting</header><text display-inline="yes-display-inline">The Secretary shall facilitate mechanisms for timely, standardized reporting by grantees under this section regarding implementation of the systems established under this section and coordinated processes with the reporting as required and under the heading <quote>Department of Health and Human Servicesâ€"Office of the Secretaryâ€"Public Health and Social Service Emergency Fund</quote> in title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139, 134 Stat. 620), includingâ€"</text>

<paragraph id="H61031174FFB0439F832E7069822ACC3A" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">a summary of county or local health department level information from the States receiving funding, and information from directly funded localities, territories, and Tribal entities, about the activities that will be undertaken using funding awarded under this section, including subgrants;</text></paragraph>

<paragraph id="H1E3C25AD254A4926B80D7948AD5093DF" commented="no"><enum>(2)</enum><text>any anticipated shortages of required materials for testing for COVIDâ€"19 under subsection (a); and</text></paragraph>

<paragraph id="H68D42AD9FEA846448EE5DC139A090FC6" commented="no"><enum>(3)</enum><text>other barriers in the prevention, mitigation, or treatment of COVIDâ€"19 under this section.</text></paragraph></subsection>

<subsection id="H3C12E01F497947E29917D187D818F9F4"><enum>(f)</enum><header>Public listing of awards</header><text display-inline="yes-display-inline">The Secretary shallâ€"</text>

<paragraph id="H3757A3F8979249E3B652D7265976AC13"><enum>(1)</enum><text>not later than 7 days after first awarding grants under this section, post in a searchable, electronic

format a list of all awards made by the Secretary under this section, including the recipients and amounts of such awards; and</text></paragraph>

<paragraph id="H1A79CA2353314A26AA4AEF0857F35FD5"><enum>(2)</enum><text>update such list not less than every 7 days until all funds made available to carry out this section are expended.</text></paragraph></subsection></section>

<section id="HA958845473AD484981B396C1657C2938" commented="no"><enum>30563.</enum><header>Guidance, technical assistance, information, and communication</header>

<subsection id="HCCA5C53A8A6C4EDD9A0296F6A9217940" commented="no"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline"> Not later than 14 days after the date of the enactment of this Act, the Secretary, in coordination with other Federal agencies, as appropriate, shall issue guidance, provide technical assistance, and provide information to States, localities, Tribes, and territories, with respect to the following: </text>

<paragraph id="HC9876C9BC6424AE3ACB7C2274DFCD06C" commented="no"><enum>(1)</enum><text>The diagnostic and serological testing of individuals identified through contact tracing for COVIDâ€"19, including information with respect to the reduction of duplication related to programmatic activities, reporting, and billing.</text></paragraph>

<paragraph id="HA2C3F52A6E57406AB1425262FD762A2D" commented="no"><enum>(2)</enum><text display-inline="yes-display-inline">Best practices regarding contact tracing, including the collection of data with respect to such contact tracing and requirements related to the standardization of demographic and syndromic information collected as part of contact tracing efforts. </text></paragraph>

<paragraph id="H84C761DBCAF64C8581AF4464014AD22D" commented="no"><enum>(3)</enum><text>Best practices regarding COVIDâ€"19 disease surveillance, including best practices to reduce duplication in surveillance activities, identifying gaps in surveillance and surveillance systems, and ways in which the Secretary plans to effectively support State, local, Tribal and territorial health departments in addressing such gaps.</text></paragraph>

<paragraph id="H3207D9821DF1478E952CEE0B36A914C" commented="no"><enum>(4)</enum><text display-inline="yes-display-inline">Information on ways for State, local, Tribal, and territorial health departments to establish and maintain the testing, contact tracing, and surveillance activities described in paragraphs (1) through (3). </text></paragraph>

<paragraph id="H173476C19BDC4A53A39BB71B92D9A758" commented="no"><enum>(5)</enum><text>The protection of any personally identifiable health information collected pursuant to this subtitle.</text></paragraph>

<paragraph id="H1B54C7945BDA4819B3E1DF930A903E24"><enum>(6)</enum><text display-inline="yes-display-inline">Best practices regarding privacy and cybersecurity protection related to contact tracing, containment, and mitigation efforts. </text></paragraph></subsection>

<subsection id="HEAFC19A7AA0447568A58600C6E91DFC7" commented="no"><enum>(b)</enum><header>Guidance on payment</header><text display-inline="yes-display-inline">Not later than 14 days after the date of the enactment of this Act, the Secretary, in coordination with the Administrator of the Centers for Medicare & Medicaid Services, the Director of the Centers for Disease Control and Prevention, and in coordination with other Federal agencies, as appropriate, shall develop and issue to State, local, Tribal, and territorial health departments clear guidance and policiesâ€" </text>

<paragraph id="H4219BB2AF7434264BE2053B7A99F91E1" commented="no"><enum>(1)</enum><text>with respect to the coordination of claims submitted for payment out of the Public Health and Social Services Emergency Fund for services furnished in a facility referred to in section 30562(d) (4) (C); </text></paragraph>

<paragraph id="H417D97DDA4324D5BAAF1D989D63B2464" commented="no"><enum>(2)</enum><text>identifying how an individual who is isolated or quarantined at home or in such a facilityâ€" </text>

<subparagraph id="HD51CFA9A409240DD883A83C88B7F4B0C" commented="no"><enum>(A)</enum><text>incurs no out-of-pocket costs for any services furnished to such individual while isolated; and</text></subparagraph>

<subparagraph id="HA6379EE4605B4EF793F4AFF4A683C638" commented="no"><enum>(B)</enum><text>may receive income support for lost earnings or payments for expenses such as child care or elder care while such individual is isolated at home or in such a facility;</text></subparagraph></paragraph>

<paragraph id="HF6B72E19C1F1414BAFE7B64285D18399" commented="no"><enum>(3)</enum><text display-inline="yes-display-inline">providing information and assistance pertaining to support available under the CARES Act (Public Law 116â€"136) and this Act; and</text></paragraph>

<paragraph id="H7F33DC65A7394E87B32D93E103B2AE03" commented="no"><enum>(4)</enum><text display-inline="yes-display-inline">identifying State, local, Tribal, and territorial health departments or partner agencies that may provide social support services, such as groceries or meals, health education, internet access, and behavioral health services, to individuals who isolated or quarantined at home or in such a facility.</text></paragraph></subsection>

<subsection id="H89EDC5242E7F43F19AA22A5DDA37AC1B"><enum>(c)</enum><header>Guidance on testing</header><text>Not later than 14 days after the date of the enactment of this Act, the Secretary, in coordination with the Commissioner of Food and Drugs, the Director of the National Institutes of Health, and the Director of the Centers for Disease Control and Prevention, and in coordination with other Federal agencies as appropriate, shall develop and issue to State, local, Tribal, and territorial health departments clear guidance and policies regardingâ€"</text>

<paragraph id="HD9A15DF632754DE789A41649AC0D4AF7"><enum>(1)</enum><text>objective standards to characterize the performance of all diagnostic and serological tests for COVIDâ€"19 in order to independently evaluate tests continuously over time;</text></paragraph>

<paragraph id="H4042E01B7EA744958C8AF783002DB561"><enum>(2)</enum><text display-inline="yes-display-inline">protocols for the evaluation of the performance of diagnostic and serological tests for COVIDâ€"19; and</text></paragraph>

<paragraph id="H029C1F41B93844768B882F36EF32D1F2"><enum>(3)</enum><text>a repository of characterized specimens to use to evaluate the performance of those tests that can be made available for appropriate entities to use to evaluate performance.</text></paragraph></subsection>

<subsection id="HDE813B8DBBF8415BA283D272A8010EA5" commented="no"><enum>(d)</enum><header>Communication</header><text display-inline="yes-display-inline">The Secretary shall identify and publicly announce the form and manner for communication with State, local, Tribal, and territorial health departments for purposes of carrying out the activities addressed by guidance issued under subsections (a) and (b). </text></subsection>

<subsection id="HC3EED8663BEF4E8987A8CB6E9E8DFC0F" commented="no"><enum>(e)</enum><header>Availability to providers</header><text display-inline="yes-display-inline">Guidance issued under subsection (a)(1) shall be issued to health care providers.</text></subsection>

<subsection id="H7F6AB4BD6C4B4543B6F900EA348C49CD" commented="no"><enum>(f)</enum><header>Ongoing provision of guidance and technical assistance</header><text>Notwithstanding whether funds are available specifically to carry out this subtitle<italic/>, guidance and technical assistance shall continue to be provided under this section.</text></subsection></section>

<section id="H6FD3E642CA6F43F39053916C2D7D94E1" commented="no"><enum>30564.</enum><header>Research and development</header><text display-inline="no-display-inline">The Secretary, in coordination with the Director of the Centers for Disease Control and Prevention and in collaboration with the Director of the National Institutes of Health, the Director of the Agency for Healthcare Research and Quality, the Commissioner of Food and Drugs, and the Administrator of the Centers for Medicare & Medicaid Services, shall support research and development on more efficient and effective strategiesâ€"</text>

<paragraph id="H19C55E9F1C1947549B8AF88ACBFAD1D5" commented="no"><enum>(1)</enum><text>for the surveillance of SARSâ€"CoVâ€"2 and COVIDâ€"19;</text></paragraph>

<paragraph id="HD9D3106551BD4A2FB0795384F7BFDE58" commented="no"><enum>(2)</enum><text>for the testing and identification of individuals infected with COVIDâ€"19; and</text></paragraph>

<paragraph id="H69E1AC9BF6854540BAE9DBAA2B7418B8" commented="no"><enum>(3)</enum><text>for the tracing of contacts of individuals infected with COVIDâ€"19.</text></paragraph></section>

<section id="H4BA1BA7853EE46CCA8BCB5D235BE4027"><enum>30565.</enum><header>Awareness campaigns</header><text display-inline="no-display-inline">The Secretary, acting through the Director of the Centers for Disease Control and Prevention and in coordination with other offices and agencies, as appropriate, shall award competitive grants or contracts to one or more public or private entities, including faith-based organizations, to carry out multilingual and culturally appropriate awareness campaigns. Such campaigns shallâ€"</text>

<paragraph id="HED0ACDE78C8F48EA9AE088E557AF8E93"><enum>(1)</enum><text>be based on available scientific evidence;</text></paragraph>

<paragraph id="H82E7183BB859460F90F735D1063F4536"><enum>(2)</enum><text>increase awareness and knowledge of COVIDâ€"19, including countering stigma associated with COVIDâ€"19;</text></paragraph>

<paragraph id="H33B6CE6EF29E44DDBD7E4B217F24811C"><enum>(3)</enum><text>improve information on the availability of COVIDâ€"19 diagnostic testing; and</text></paragraph>

<paragraph id="H59CF91A6ED2A4A2AB401A5EE43DD2A11"><enum>(4)</enum><text>promote cooperation with contact tracing efforts.</text></paragraph></section>

<section id="H00BC99498B8D4851A3991A1130B010FB"><enum>30566.</enum><header>Grants to State and Tribal workforce agencies</header>

<subsection id="H588A9CC3DEBD4FDE97AA891919B12554"><enum>(a)</enum><header>Definitions</header><text display-inline="yes-display-inline">In this section:</text>

<paragraph id="H914653BF9D8D4BF697058D339B72B523"><enum>(1)</enum><header>In general</header><text>Except as otherwise provided, the terms in this section have the meanings given the terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).</text></paragraph>

<paragraph id="HC2373E1DEB4A4C72AA09D8A447430179"><enum>(2)</enum><header>Apprenticeship; apprenticeship program</header><text display-inline="yes-display-inline">The term <term>apprenticeship</term> or <term>apprenticeship program</term> means an apprenticeship program registered under the Act of August 16, 1937 (commonly known as the <quote>National Apprenticeship Act</quote>) (50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.), including any requirement, standard, or rule promulgated under such Act, as such requirement, standard, or rule was in effect on December 30, 2019.</text></paragraph>

<paragraph id="H303703200E7C4CA18F1956649AE4CA8B"><enum>(3)</enum><header>Contact tracing and related positions</header><text>The term <term>contact tracing and related positions</term> means employment related to contact tracing, surveillance, containment, and mitigation activities as described in paragraphs (2), (3), and (4) of section 30562(d). </text></paragraph>

<paragraph id="HF0F9814DBACC42768D8F1C70337456C8"><enum>(4)</enum><header>Eligible entity</header><text>The term <term>eligible entity</term> meansâ€"</text>

<subparagraph id="H7C7955333C284137980B93611B8A6D1B"><enum>(A)</enum><text>a State or territory, including the District of Columbia and Puerto Rico;</text></subparagraph>

<subparagraph id="H52631F88C0714F13A1DDEA5A856CAA1B"><enum>(B)</enum><text>an Indian Tribe, Tribal organization, Alaska Native entity, Indian-controlled organizations serving Indians, or Native Hawaiian organizations;</text></subparagraph>

<subparagraph id="H9725CBC1E6F84FA19FDD73063CFF70B6"><enum>(C)</enum><text>an outlying area; or</text></subparagraph>

<subparagraph id="H3D01B6571768470B87F236F82107C0E9"><enum>(D)</enum><text>a local board, if an eligible entity under subparagraphs (A) through (C) has not applied with respect to the area over which the local board has jurisdiction as of the date on which the local board submits an application under subsection (c).</text></subparagraph></paragraph>

<paragraph id="H1D7C70F737AA40DF83A11BBBA9A870ED"><enum>(5)</enum><header>Eligible individual</header><text>Notwithstanding section 170(b)(2) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3225(b)(2)), the term <term>eligible individual</term> means an individual seeking or securing employment in contact tracing or related positions and is served by an eligible entity or community-based organization receiving funding under this section.</text></paragraph>

<paragraph id="H0A91668ED9F24F65A47FB9D633ACF425"><enum>(6)</enum><header>Secretary</header><text>The term <term>Secretary</term> means the Secretary of Labor.</text></paragraph></subsection>

<subsection id="H6606099A0A86430284B9EDA51D69AFF2"><enum>(b)</enum><header>Grants</header>

<paragraph id="H9156BED412BC43BFB19652DF6845CDAD"><enum>(1)</enum><header>In general</header><text>Subject to the availability of appropriations under subsection (g), the Secretary shall award national dislocated worker grants under section 170(b)(1)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3225(b)(1)(B)) to each eligible entity that seeks a grant to assist local boards and community-based organizations in carrying out activities under subsections (f) and (d), respectively, for the following purposes:</text>

<subparagraph id="HAE1599F646E14CEC91DC0A54B241F1FE"><enum>(A)</enum><text> To support the recruitment, placement, and training, as applicable, of eligible individuals seeking employment in contact tracing and related positions in accordance with the national system for COVIDâ€"19 testing, contact tracing, surveillance, containment, and mitigation established under section 30561. </text></subparagraph>

<subparagraph id="HB2369E4D5057415CAD9CCA71D612CFF"><enum>(B)</enum><text display-inline="yes-display-inline">To assist with the employment transition to new employment or education and training of individuals employed under this section in preparation for and upon termination of such employment.</text></subparagraph></paragraph>

<paragraph id="H15E7A26FBCC54AA9A0A9C131274D50C8"><enum>(2)</enum><header>Timeline</header><text>The Secretary of Labor shallâ€"</text>

<subparagraph id="HBF49BAEAB678483786523226BF1FCA82"><enum>(A)</enum><text>issue application requirements under subsection (c) not later than 10 days after the date of enactment of this section; and</text></subparagraph>

<subparagraph id="H9A3F6331CEA5491DB520E2A6FD8A3DA7"><enum>(B)</enum><text>award grants to an eligible entity under paragraph (1) not later than 10 days after the date on which the Secretary receives an application from such entity.</text></subparagraph></paragraph></subsection>

<subsection id="HB1BF7DCAEB9148A88BB153DE0F9ADF0C"><enum>(c)</enum><header>Grant application</header><text>An eligible entity applying for a grant under this section shall submit an application to the Secretary, at such time and in such form and manner as the Secretary may reasonably require, which shall include a description ofâ€"</text>

<paragraph id="HD4454A1F12A4448F84720920FB5B09DA"><enum>(1)</enum><text>how the eligible entity will support the recruitment, placement, and training, as applicable, of eligible individuals seeking employment in contact tracing and related positions by partnering withâ€"</text>

<subparagraph id="H1710DE7F385148FF99F6AD55102078B4"><enum>(A)</enum><text>a State, local, Tribal, or territorial health department; or</text></subparagraph>

<subparagraph id="H6E2BF5DB7BDA419D8887A3514206177E"><enum>(B)</enum><text>one or more nonprofit or community-based organizations partnering with such health

departments;</text></subparagraph></paragraph>

<paragraph id="H773903C08E034C30A7CC8ACFDC5797C6"><enum>(2)</enum><text>how the activities described in paragraph (1) will support State efforts to address the demand for contact tracing and related positions with respect toâ€"</text>

<subparagraph id="HCA2D4A48A56749E4B2E368F57B725775"><enum>(A)</enum><text>the State plans referred to in the heading <quote>Public Health and Social Services Emergency Fund</quote> in title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139); </text></subparagraph>

<subparagraph id="HE00426ED899A4E3D97460065FF85596D"><enum>(B)</enum><text>the testing strategy submitted under section 30541; and</text></subparagraph>

<subparagraph id="H6888A44F090E498589FD8AD5F7CE76F5"><enum>(C)</enum><text>the number of eligible individuals that the State plans to recruit and train under the plans and strategies described in subparagraphs (A) and (B); </text></subparagraph></paragraph>

<paragraph id="H1041783A9BF04BDE96AB89E77600B23C"><enum>(3)</enum><text display-inline="yes-display-inline">the specific strategies for recruiting and placement of eligible individuals from or residing within the communities in which they will work, includingâ€"</text>

<subparagraph id="H24B02E53E42B476C8CFDE784B33E0189"><enum>(A)</enum><text display-inline="yes-display-inline">plans for the recruitment of eligible individuals to serve as contact tracers and related positions, including dislocated workers, individuals with barriers to employment, veterans, new entrants in the workforce, or underemployed or furloughed workers, who are from or reside in or near the local area in which they will serve, and who, to the extent practicableâ€"</text>

<clause id="H919604F9C70B4574B01E319B5AB40D3E"><enum>(i)</enum><text>have experience or a background in industry-sectors and occupations such as public health, social services, customer service, case management, or occupations that require related qualifications, skills, or competencies, such as strong interpersonal and communication skills, needed for contact tracing or related positions, as described in section 30562(d)(2)(E)(ii); or</text></clause>

<clause id="H4D76D36E9BCC4063A81B78ACD084838C"><enum>(ii)</enum><text>seek to transition to public health and public health related occupations upon the conclusion of employment in contact tracing or related positions; and</text></clause></subparagraph>

<subparagraph id="H82785A261E19417B82025511D1EC9DCF"><enum>(B)</enum><text>how such strategies will take into account the diversity of such community, including racial, ethnic, socioeconomic, linguistic, or geographic diversity;</text></subparagraph></paragraph>

<paragraph id="H408FECFE54074745828F0AE37055D424"><enum>(4)</enum><text>the amount, timing, and mechanisms for distribution of funds provided to local boards or through subgrants as described in subsection (d);</text></paragraph>

<paragraph id="HF22259CF4CDF4B1BA31C77017C119642"><enum>(5)</enum><text display-inline="yes-display-inline">for eligible entities described in subparagraphs (A) through (C) of subsection (a)(4), a description of how the eligible entity will ensure the equitable distribution of funds with respect toâ€"</text>

<subparagraph id="H102A49079B624AD38B7A26765057D6E2"><enum>(A)</enum><text>geography (such as urban and rural distribution);</text></subparagraph>

<subparagraph id="H2FB14851C2904B89887422205D4F3BA3"><enum>(B)</enum><text display-inline="yes-display-inline">medically underserved populations (as defined in section 33(b)(3) of the Public Health Service Act (42 U.S.C. 254b(b)));</text></subparagraph>

<subparagraph id="H9FE814D180F142608B3160B44A511B32"><enum>(C)</enum><text>health professional shortage areas (as defined under section 332(a) of the Public Health Service Act (42 U.S.C. 254e(a))); and</text></subparagraph>

<subparagraph id="H6D6D56EBCFFB43848A041A46B32970F0"><enum>(D)</enum><text>the racial and ethnic diversity of the area; and</text></subparagraph></paragraph>

<paragraph id="HC384DE4023094EF48B8ED9218B8D8088"><enum>(6)</enum><text>for eligible entities who are local boards, a description of how a grant to such eligible entity

would serve the equitable distribution of funds as described in paragraph (5).
</text></paragraph></subsection>

<subsection id="HCB66A106EF1049C1AD1DB67E6C460BD5"><enum>(d)</enum><header>Subgrant authorization and application process</header>

<paragraph id="HFF248F705ED74F268605F6CA6DDEE213"><enum>(1)</enum><header>In general</header><text>An eligible entity may award a subgrant to one or more community-based organizations for the purposes of partnering with a State or local board to conduct outreach and education activities to inform potentially eligible individuals about employment opportunities in contact tracing and related positions.</text></paragraph>

<paragraph id="HD9CB948120094FCB97D72CE392500B8A"><enum>(2)</enum><header>Application</header><text>A community-based organization shall submit an application at such time and in such manner as the eligible entity may reasonably require, includingâ€</text>

<subparagraph id="H3DACF26F1C7847099377BE155533C41A"><enum>(A)</enum><text>a demonstration of the community-based organizationâ€™s established expertise and effectiveness in community outreach in the local area that such organization plans to serve;</text></subparagraph>

<subparagraph id="HBD052EEA8E9E4F0F86C956E4C0A650B6"><enum>(B)</enum><text>a demonstration of the community-based organizationâ€™s expertise in providing employment or public health information to the local areas in which such organization plans to serve; and</text></subparagraph>

<subparagraph id="H33C67168314D4BE087883875B9950BB5"><enum>(C)</enum><text>a description of the expertise of the community-based organization in utilizing culturally competent and multilingual strategies in the provision of services.</text></subparagraph></paragraph></subsection>

<subsection id="H964E809D353E4C938FADE6F1232104AA"><enum>(e)</enum><header>Grant distribution</header>

<paragraph id="HBD65F8A68F4F405AAAD68CACF48BDA58" commented="no"><enum>(1)</enum><header>Federal distribution</header>

<subparagraph id="HED39D4FD315746FDB0C7D162562CBC51" commented="no"><enum>(A)</enum><header>Use of funds</header><text>The Secretary of Labor shall use the funds appropriated to carry out this section as follows:</text>

<clause id="H715F6CB1C6744128AA6F4556E4A9BA23" commented="no"><enum>(i)</enum><text display-inline="yes-display-inline">Subject to clause (ii), the Secretary shall distribute funds among eligible entities in accordance with a formula to be established by the Secretary that provides a minimum level of funding to each eligible entity that seeks a grant under this section and allocates additional funding as follows:</text>

<subclause id="HF2D36D6A4BBA4536A93C0A4E6A58AD5B" commented="no"><enum>(I)</enum><text display-inline="yes-display-inline">The formula shall give first priority based on the number and proportion of contact tracing and related positions that the State plans to recruit, place, and train individuals as a part of the State strategy described in subsection (c) (2) (A).</text></subclause>

<subclause id="H51B0644C51C14E25A3FA13BA0FE8057E" commented="no"><enum>(II)</enum><text display-inline="yes-display-inline">Subject to subclause (I), the formula shall give priority in accordance with section 30562(c).</text></subclause></clause>

<clause id="H4FA6F2A77B12453DBFDB488347FC23D7" commented="no"><enum>(ii)</enum><text>Not more than 2 percent of the funding for administration of the grants and for providing technical assistance to recipients of funds under this section.</text></clause></subparagraph>

<subparagraph id="H2B6424D06C5E4D12B3260BABA2737678" commented="no"><enum>(B)</enum><header>Equitable distribution</header><text display-inline="yes-display-inline">If the geographic region served by one or more eligible entities overlaps, the Secretary shall distribute funds among such entities in such a manner that ensures equitable distribution with respect to the factors under subsection (c) (5). </text></subparagraph></paragraph>

<paragraph id="H3CFF64E4BB8649E4B47DCA928A8B7D90"><enum>(2)</enum><header>Eligible entity use of funds</header><text>An eligible entity described in subparagraphs (A) through (C) of subsection (a) (4)–</text>

<subparagraph id="HA61446F452254B928F6E4D2979C0AFF3"><enum>(A)</enum><text display-inline="yes-display-inline">shall, not later than 30 days after the date on which the entity receives grant funds under this section, provide not less than 70 percent of grant funds to local boards for the purpose of carrying out activities in subsection (f); </text></subparagraph>

<subparagraph id="H0034CB313882452BABA5B9010072E8CF"><enum>(B)</enum><text display-inline="yes-display-inline">may use up to 20 percent of such funds to make subgrants to community-based organizations in the service area to conduct outreach, to potential eligible individuals, as described in subsection (d);</text></subparagraph>

<subparagraph id="H8631EE2EEE5B4EF39215B665534B5448"><enum>(C)</enum><text display-inline="yes-display-inline">in providing funds to local boards and awarding subgrants under this subsection shall ensure the equitable distribution with respect to the factors described in subsection (c) (5); and</text></subparagraph>

<subparagraph id="HD29BEC172B6E42399D2F2D5BB8C87FDC"><enum>(D)</enum><text display-inline="yes-display-inline">may use not more than 10 percent of the funds awarded under this section for the administrative costs of carrying out the grant and for providing technical assistance to local boards and community-based organizations.</text></subparagraph></paragraph>

<paragraph id="HD748D090DB5946EAA7673E54EBE227F1" commented="no"><enum>(3)</enum><header>Local board use of funds</header><text display-inline="yes-display-inline">A local board, or an eligible entity that is a local board, shall use–</text>

<subparagraph id="H483DB61FF0A2427C8B0928510A95AD81" commented="no"><enum>(A)</enum><text>not less than 60 percent of the funds for recruitment and training for COVID–19 testing, contact tracing, surveillance, containment, and mitigation established under section 30561;</text></subparagraph>

<subparagraph id="H64C70B4D4D3B4FD2ABF7E6E1AAD4893B" commented="no"><enum>(B)</enum><text display-inline="yes-display-inline">not less than 30 of the funds to support the transition of individuals hired as contact tracers and related positions into an education or training program, or unsubsidized employment upon completion of such positions; and</text></subparagraph>

<subparagraph id="H5776BBB62F4F43419B74B569F0526D49" display-inline="no-display-inline"><enum>(C)</enum><text>not more than 10 percent of the funds for administrative costs.</text></subparagraph></paragraph></subsection>

<subsection id="H2BAE295585B8485CB87C65274F563255"><enum>(f)</enum><header>Eligible activities</header><text>The State or local boards shall use funds awarded under this section to support the recruitment and placement of eligible individuals, training and employment transition as related to contact tracing and related positions, and for the following activities:</text>

<paragraph id="HCED6F4FD408B4A2EB4D8B39E1D6FF35C"><enum>(1)</enum><text>Establishing or expanding partnerships with–</text>

<subparagraph id="HFB1CC8022B9A4A818BE3207769421C51"><enum>(A)</enum><text>State, local, Tribal, and territorial public health departments;</text></subparagraph>

<subparagraph id="H973DF4F9ED35483DA190F2458EE164B3"><enum>(B)</enum><text>community-based health providers, including community health centers and rural health clinics;</text></subparagraph>

<subparagraph id="H513C598A63754A96B92AE8BE5941AB59"><enum>(C)</enum><text>labor organizations or joint labor management organizations;</text></subparagraph>

<subparagraph id="H6F032A3B1A8B43A290B46FD249349CB6"><enum>(D)</enum><text>two-year and four-year institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), including institutions eligible to receive funds under section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)); and</text></subparagraph>

<subparagraph id="H54DA8E56ED004526BFFB63984871DA18"><enum>(E)</enum><text>community action agencies or other community-based organizations serving local areas in which there is a demand for contact tracers and related positions.</text></subparagraph></paragraph>

<paragraph id="H535A7D4B5AAF4CE490F42942F73173CD"><enum>(2)</enum><text>Providing training for contact tracing and related positions in coordination with State, local, Tribal, or territorial health departments that is consistent with the State or territorial testing and contact tracing strategy and ensuring that eligible individuals receive compensation while participating in such training.</text></paragraph>

<paragraph id="H83DFC114658D4E2CACF3FF92F002ABD2"><enum>(3)</enum><text>Providing eligible individuals withâ€"</text>

<subparagraph id="H70D64227FE09480695742E1BE33E3C13"><enum>(A)</enum><text>adequate and safe equipment, environments, and facilities for training and supervision, as applicable;</text></subparagraph>

<subparagraph id="HEAEA272AD48F4326B41318DA253D1EBA"><enum>(B)</enum><text>information regarding the wages and benefits related to contact tracing and related positions, as compared to State, local, and national averages;</text></subparagraph>

<subparagraph id="H5CFB62F51F434913AC6C1FB5F9B3B36A"><enum>(C)</enum><text>supplies and equipment needed by the program participants to support placement of an individual in contact tracing and related positions, as applicable;</text></subparagraph>

<subparagraph id="H7683DFC622BD418C8808A67AAC4048DA"><enum>(D)</enum><text>an individualized employment plan for each eligible individual, as applicableâ€"</text>

<clause id="H291E51B9B90E4455A655B458D2B038F3"><enum>(i)</enum><text>in coordination with the entity employing the eligible individual in a contact tracing or related position; and</text></clause>

<clause id="H9119FBCCE6454A719DB3F4EA93861E06"><enum>(ii)</enum><text>which shall include providing a case manager to work with each eligible individual to develop the plan, which may includeâ€"</text>

<subclause id="HB25E624A4BA54B9AB3CADEBBADD98AE0"><enum>(I)</enum><text>identifying employment and career goals, and setting appropriate achievement objectives to attain such goals; and</text></subclause>

<subclause id="H8939DCA2B8E54DD3A411023CD79F9958"><enum>(II)</enum><text>exploring career pathways that lead to in-demand industries and sectors, including in public health and related occupations; and</text></subclause></clause></subparagraph>

<subparagraph id="HC8245667DB144BFABA7FCB726B963443"><enum>(E)</enum><text>services for the period during which the individual is employed in a contact tracing and related position to ensure job retention, which may includeâ€"</text>

<clause id="HE2BCEB263FA24945828A6D9B33371350"><enum>(i)</enum><text>supportive services throughout the term of employment;</text></clause>

<clause id="H6DF7D05CBB564F09A258F62E6BA01F4F"><enum>(ii)</enum><text>a continuation of skills training as related to employment as a contact tracer or related positions, that is conducted in collaboration with the employers of such participants;</text></clause>

<clause id="H7A8E4A881DDF481582B0585D885424DC"><enum>(iii)</enum><text>mentorship services and job retention support for eligible individuals; or</text></clause>

<clause id="HC03927F0B33A44778E395BD78A8BFCB7"><enum>(iv)</enum><text>targeted training for managers and workers working with eligible individuals (such as mentors), and human resource representatives;</text></clause></subparagraph></paragraph>

<paragraph id="HA4C080BCFC1240BE842965C2E20FA275"><enum>(4)</enum><text>Supporting the transition and placement in unsubsidized employment for eligible individuals serving in the contact tracing or related positions after such positions are no longer necessary in the State or local area, includingâ€"</text>

<subparagraph id="H4A65AEBA1898494EACC2DA754ECE18EA"><enum>(A)</enum><text>any additional training and employment activities as described in section 170(d)(4) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3225(d)(4));</text></subparagraph>

<subparagraph id="HFC847148155D4E53A3514FA6DEED5897"><enum>(B)</enum><text>developing the appropriate combination of services to enable the eligible individual to achieve the employment and career goals identified under paragraph (3) (D) (ii) (I); and</text></subparagraph>

<subparagraph id="H11F1FC34931B410386086FB42E6F370B"><enum>(C)</enum><text>services to assist eligible individuals in maintaining employment for not less than 12 months after the completion of employment in contact tracing or related positions, as appropriate.</text></subparagraph></paragraph>

<paragraph id="H89FFCDD6D07947FB89096343B3474571"><enum>(5)</enum><text>Any other activities as described in subsections (a) (3) and (b) of section 134 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174).</text></paragraph></subsection>

<subsection id="H583E38B76EAA46D39DB4FFEA8CA88098"><enum>(g)</enum><header>Limitation</header><text display-inline="yes-display-inline">Notwithstanding section 170(d) (3) (A) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3225(d) (3) (A)), a person may be employed in a contact tracing or related position using funds under this section for a period not greater than 2 years. </text></subsection>

<subsection id="HC02F497150C24C9EA37464E94E07B406"><enum>(h)</enum><header>Reporting by the Department of Labor</header>

<paragraph id="HC5E046C86E164CCE88C5B901824AD4A0"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">Not later than 120 days of the enactment of this Act, and once grant funds have been expended under this section, the Secretary shall report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, and make publicly available a report containing a description ofâ€" </text>

<subparagraph id="HB4AF125531084BAF9DB801A0709389C2"><enum>(A)</enum><text>the number of eligible individuals recruited, hired, and trained as contract tracers and related positions;</text></subparagraph>

<subparagraph id="HB6A941EC50A84764B62F2722838EEF56"><enum>(B)</enum><text>the number of individuals successfully transitioned to unsubsidized employment or training at the completion of employment in contact tracing or related positions using funds under this subtitle;</text></subparagraph>

<subparagraph id="H5221EC1E3DCE4FFFA58F2A89B994840A"><enum>(C)</enum><text>the number of such individuals who were unemployed prior to being hired, trained, or deployed as described in paragraph (1);</text></subparagraph>

<subparagraph id="H01DCB9FE1A0648A0B0D38D8BD0008E50"><enum>(D)</enum><text>the performance of each program supported by funds under this subtitle with respect to the indicators of performance under section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141), as applicable;</text></subparagraph>

<subparagraph id="H26B7972649B644D4BC222A82CEEEBCBF"><enum>(E)</enum><text>the number of individuals in unsubsidized employment within six months and 1 year, respectively, of the conclusion of employment in contact tracing or related positions and, of those, the number of individuals within a State, territorial, or local public health department in an occupation related to public health;</text></subparagraph>

<subparagraph id="HCC32040AE8EC4AAF9032093265EBD7C9"><enum>(F)</enum><text display-inline="yes-display-inline">any information on how eligible entities, local boards, or community-based organizations that received funding under this subsection were able to support the goals of the national system for COVIDâ€"19 testing, contact tracing, surveillance, containment, and mitigation established under section 30561 of this Act; and</text></subparagraph>

<subparagraph id="H784C2E835EA24BC9B939B86906FA85A8"><enum>(G)</enum><text>best practices for improving and increasing the transition of individuals employed in contract tracing or related positions to permanent, full-time employment. </text></subparagraph></paragraph>

<paragraph id="H0E255E5DE1CC4E0C851FB8F38AB480DA"><enum>(2)</enum><header>Disaggregation</header><text display-inline="yes-display-inline">All data reported under paragraph (1) shall be disaggregated by race, ethnicity, sex, age, and, with respect to individuals with

barriers to employment, subpopulation of such individuals, except for when the number of participants in a category is insufficient to yield statistically reliable information or when the results would reveal personally identifiable information about an individual participant.

Special rule
Any funds used for programs under this section that are used to fund an apprenticeship or apprenticeship program shall only be used for, or provided to, an apprenticeship or apprenticeship program that meets the definition of such term subsection (a) of this section, including any funds awarded for the purposes of grants, contracts, or cooperative agreements, or the development, implementation, or administration, of an apprenticeship or an apprenticeship program.

Information sharing requirement for HHS
The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, shall provide the Secretary of Labor, acting through the Assistant Secretary of the Employment and Training Administration, with information on grants under section 30562, includingâ€

(1) the formula used to award such grants to State, local, Tribal, and territorial health departments;

(2) the dollar amounts of and scope of the work funded under such grants;

(3) the geographic areas served by eligible entities that receive such grants; and

(4) the number of contact tracers and related positions to be hired using such grants.

Authorization of appropriations
Of the amounts appropriated to carry out this subtitle, \$500,000,000 shall be used by the Secretary of Labor to carry out subsections (a) through (h) of this section.

30567. Application of the Service Contract Act to contracts and grants
Contracts and grants which include contact tracing as part of the scope of work and that are awarded under this subtitle shall require that contract tracers and related positions are paid not less than the prevailing wage and fringe rates required under chapter 67 of title 41, United States Code (commonly known as the *Service Contract Act*) for the area in which the work is performed. To the extent that a nonstandard wage determination is required to establish a prevailing wage for contact tracers and related positions for purposes of this subtitle, the Secretary of Labor shall issue such determination not later than 14 days after the date of enactment of this Act, based on a job description used by the Centers for Disease Control and Prevention and contractors or grantees performing contact tracing for State public health agencies.

30568. Authorization of appropriations
To carry out this subtitle, there are authorized to be appropriated \$75,000,000,000, to remain available until expended.

Demographic Data and Supply Reporting Related to COVIDâ€19

30571. COVIDâ€19 reporting portal

In

general</header><text display-inline="yes-display-inline">Not later than 15 days after the date of enactment of this Act, the Secretary shall establish and maintain an online portal for use by eligible health care entities to track and transmit data regarding their personal protective equipment and medical supply inventory and capacity related to COVIDâ€"19.</text></subsection>

<subsection id="HBA715B833DED428790B17F1640812637"><enum>(b)</enum><header>Eligible health care entities</header><text>In this section, the term <term>eligible health care entity</term> means a licensed acute care hospital, hospital system, or long-term care facility with confirmed cases of COVIDâ€"19.</text></subsection>

<subsection id="HE84277AB97C1493F9DDDBB4C69133EFB"><enum>(c)</enum><header>Submission</header><text>An eligible health care entity shall report using the portal under this section on a biweekly basis in order to assist the Secretary in tracking usage and need of COVIDâ€"related supplies and personnel in a regular and real-time manner.</text></subsection>

<subsection id="H778215499016426CB0FC225673C59DEE"><enum>(d)</enum><header>Included information</header><text display-inline="yes-display-inline">The Secretary shall design the portal under this section to include information on personal protective equipment and medical supply inventory and capacity related to COVIDâ€"19, including with respect to the following:</text>

<paragraph id="H612C6AAF8D4447E698CD7E2AD4E55FBB"><enum>(1)</enum><header>Personal protective equipment</header><text>Total personal protective equipment inventory, including, in units, the numbers of N95 masks and authorized equivalent respirator masks, surgical masks, exam gloves, face shields, isolation gowns, and coveralls.</text></paragraph>

<paragraph id="HD972BE3C80EC4785920A1BC153B029EB"><enum>(2)</enum><header>Medical supply</header>

<subparagraph id="HCA91D5A8071842D5BBE1DC22EA273E4E"><enum>(A)</enum><text>Total ventilator inventory, including, in units, the number of universal, adult, pediatric, and infant ventilators.</text></subparagraph>

<subparagraph id="H7A1BBDEFCEE8410682136F1739922C25"><enum>(B)</enum><text display-inline="yes-display-inline">Total diagnostic and serological test inventory, including, in units, the number of test platforms, tests, test kits, reagents, transport media, swabs, and other materials or supplies determined necessary by the Secretary.</text></subparagraph></paragraph>

<paragraph id="HE384D93ED73247C7BDE54DE053B6E29D"><enum>(3)</enum><header>Capacity</header>

<subparagraph id="HD8BF4B4204AA4907946664FF70FC9794"><enum>(A)</enum><text>Case count measurements, including confirmed positive cases and persons under investigation.</text></subparagraph>

<subparagraph id="H175CC7033FAC4A259FD05D10F944E4B9"><enum>(B)</enum><text>Total number of staffed beds, including medical surgical beds, intensive care beds, and critical care beds.</text></subparagraph>

<subparagraph id="HBF3A546F932B4BE7B3F16ED6C0191590"><enum>(C)</enum><text>Available beds, including medical surgical beds, intensive care beds, and critical care beds.</text></subparagraph>

<subparagraph id="HC79EC922AE264754AA43D4ACAB71782D"><enum>(D)</enum><text>Total number of COVIDâ€"19 patients currently utilizing a ventilator.</text></subparagraph>

<subparagraph id="H3B10C1166EC5436996C0807E40F77B87"><enum>(E)</enum><text>Average number of days a COVIDâ€"19 patient is utilizing a ventilator.</text></subparagraph>

<subparagraph id="H83647BF71AAC42AFB4132E81A9111975"><enum>(F)</enum><text>Total number of additionally needed professionals in each of the following categories: intensivists, critical care physicians, respiratory therapists, registered nurses, certified registered nurse anesthetists, and laboratory personnel.</text></subparagraph>

<subparagraph id="H06EB2E55573D4A338EEBB5AE9F59786C"><enum>(G)</enum><text>Total number of hospital personnel currently not working due to self-isolation following a known or

presumed COVID-19 exposure.</text></subparagraph></paragraph></subsection>

<subsection id="H5816E95CA818451C83466189B5A9F9BE"><enum>(e)</enum><header>Access to information related to inventory and capacity</header><text>The Secretary shall ensure that relevant agencies and officials, including the Centers for Disease Control and Prevention, the Assistant Secretary for Preparedness and Response, and the Federal Emergency Management Agency, have access to information related to inventory and capacity submitted under this section.</text></subsection>

<subsection id="HA0285444F3E346069F7A789AEDE746A3"><enum>(f)</enum><header>Weekly report to Congress</header><text>On a weekly basis, the Secretary shall transmit information related to inventory and capacity submitted under this section to the appropriate committees of the House and Senate.</text></subsection></section>

<section id="H3209D0D441064E02A28A3A293B0907F7"><enum>30572.</enum><header>Regular CDC reporting on demographic data</header><text display-inline="no-display-inline">Not later than 14 days after the date of enactment of this Act, the Secretary, in coordination with the Director of the Centers for Disease Control and Prevention, shall amend the reporting under the heading <quote>Department of Health and Human Servicesâ€"Office of the Secretaryâ€"Public Health and Social Service Emergency Fund</quote> in title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139; 134 Stat. 620, 626) on the demographic characteristics, including race, ethnicity, age, sex, gender, geographic region, and other relevant factors of individuals tested for or diagnosed with COVID-19, to includeâ€"</text>

<paragraph id="HE8F507ADCC414D20ABD856D897BF336D"><enum>(1)</enum><text>providing technical assistance to State, local, and territorial health departments to improve the collection and reporting of such demographic data;</text></paragraph>

<paragraph id="H53EC4D49B4684C93B4B36B5F40973AA3"><enum>(2)</enum><text display-inline="yes-display-inline">if such data is not so collected or reported, the reason why the State, local, or territorial department of health has not been able to collect or provide such information; and</text></paragraph>

<paragraph id="H1AC39B09B4424966AA580E822849680F"><enum>(3)</enum><text display-inline="yes-display-inline">making a copy of such report available publicly on the website of the Centers for Disease Control and Prevention.</text></paragraph></section>

<section id="H8A55B03A9641408DB4DD66CEB488B0FD"><enum>30573.</enum><header>Federal modernization for health inequities data</header>

<subsection id="HB57551E63E79433ABA3E33A1D99D4E17"><enum>(a)</enum><header>In general</header><text>The Secretary shall work with covered agencies to support the modernization of data collection methods and infrastructure at such agencies for the purpose of increasing data collection related to health inequities, such as racial, ethnic, socioeconomic, sex, gender, and disability disparities.</text></subsection>

<subsection id="H1A37E16EF399473F80E8D507D42DD419"><enum>(b)</enum><header>Covered agency defined</header><text>In this section, the term <term>covered agency</term> means each of the following Federal agencies:</text>

<paragraph id="H04B5AA7B4CDE44F4AFDBA17DEF132114"><enum>(1)</enum><text>The Agency for Healthcare Research and Quality.</text></paragraph>

<paragraph id="H56FCCD1FE92C49F4859D96B8DAED3C3B"><enum>(2)</enum><text>The Centers for Disease Control and Prevention.</text></paragraph>

<paragraph id="H0E739D972ECC41F38BC5AD5214023F87"><enum>(3)</enum><text>The Centers for Medicare & Medicaid Services.</text></paragraph>

<paragraph id="H0616AB05C2E043AC8EED0C65ADBB1F0E"><enum>(4)</enum><text>The Food and Drug Administration.</text></paragraph>

<paragraph id="H205DF817D4E745ECA282D73468DE223A"><enum>(5)</enum><text>The Office of the National Coordinator for Health Information Technology.</text></paragraph>

<paragraph id="HAE138AB29DD24E12A442A7567686309A"><enum>(6)</enum><text>The National Institutes of Health.</text></paragraph></subsection>

<subsection id="H7EB6BFE85E414EFE9543E86DB027A7F6"><enum>(c)</enum><header>Authorization of

appropriations</header><text>There is authorized to be appropriated to each covered agency to carry out this section \$4,000,000, to remain available until expended.</text></subsection></section>

<section

id="H4431359B850546FD8FD07D6285DA4558"><enum>30574.</enum><header>Modernization of State and local health inequities data</header>

<subsection id="H9265566549504C00AA0B181419D73498"><enum>(a)</enum><header>In general</header><text>Not later than 6 months after the date of enactment of this Act, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall award grants to State, local, and territorial health departments in order to support the modernization of data collection methods and infrastructure for the purposes of increasing data related to health inequities, such as racial, ethnic, socioeconomic, sex, gender, and disability disparities. The Secretary shallâ€"</text>

<paragraph id="H3506CA645F5C4413A39D9B127AE8DCBF"><enum>(1)</enum><text>provide guidance, technical assistance, and information to grantees under this section on best practices regarding culturally competent, accurate, and increased data collection and transmission; and</text></paragraph>

<paragraph id="H5291A476768B4E228DF7055B36A66346"><enum>(2)</enum><text display-inline="yes-display-inline">track performance of grantees under this section to help improve their health inequities data collection by identifying gaps and taking effective steps to support States, localities, and territories in addressing the gaps.</text></paragraph></subsection>

<subsection

id="H911957A962BC41CB9D56880DEB1986DB"><enum>(b)</enum><header>Report</header><text>Not later than 1 year after the date on which the first grant is awarded under this section, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate an initial report detailingâ€"</text>

<paragraph id="HBABBEEA8D13B4ED7832697E4174F52D2"><enum>(1)</enum><text>nationwide best practices for ensuring States and localities collect and transmit health inequities data;</text></paragraph>

<paragraph id="H9CB918ED7370404389AB1949E6DBFBD5"><enum>(2)</enum><text>nationwide trends which hinder the collection and transmission of health inequities data;</text></paragraph>

<paragraph id="H1AEDB710C1A24858B3F2BB72ED0E00B2"><enum>(3)</enum><text>Federal best practices for working with States and localities to ensure culturally competent, accurate, and increased data collection and transmission; and</text></paragraph>

<paragraph id="HD6E846B6809E4C68924C11F04AF0604D"><enum>(4)</enum><text display-inline="yes-display-inline">any recommended changes to legislative or regulatory authority to help improve and increase health inequities data collection.</text></paragraph></subsection>

<subsection id="HBDD58356D0974846891D69AAAC8B1EE4"><enum>(c)</enum><header>Final report</header><text>Not later than December 31, 2023, the Secretary shallâ€"</text>

<paragraph id="H8FAFC8D6EB5C45019D06215D4F52013F"><enum>(1)</enum><text>update and finalize the initial report under subsection (b); and</text></paragraph>

<paragraph id="H10698BD7570C4C79B3B64F02DB152DB8"><enum>(2)</enum><text>submit such final report to the committees specified in such subsection.</text></paragraph></subsection>

<subsection

id="HB5C7B19EBCA74336B0375D03427B75A2"><enum>(d)</enum><header>Authorization of appropriations</header><text>There is authorized to be appropriated to carry out this section \$100,000,000, to remain available until expended.</text></subsection></section>

<section id="H43B4E881B3624847A4D6E80DF94B2D38"><enum>30575.</enum><header>Tribal funding to research health inequities including COVIDâ€"19</header>

<subsection id="H7086E33B3B2144E3914CAA6EAE3290F8"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Not later than 6 months after

the date of enactment of this Act, the Director of the Indian Health Service, in coordination with Tribal Epidemiology Centers and other Federal agencies, as appropriate, shall conduct or support research and field studies for the purposes of improved understanding of Tribal health inequities among American Indians and Alaska Natives, including with respect to

(1) disparities related to COVID-19;

(2) public health surveillance and infrastructure regarding unmet needs in Indian country and Urban Indian communities;

(3) population-based health disparities;

(4) barriers to health care services;

(5) the impact of socioeconomic status; and

(6) factors contributing to Tribal health inequities.

Consultation, confer, and coordination
In carrying out this section, the Director of the Indian Health Service shall

(1) consult with Indian Tribes and Tribal organizations;

(2) confer with Urban Indian organizations; and

(3) coordinate with the Director of the Centers for Disease Control and Prevention and the Director of the National Institutes of Health.

Process
Not later than 60 days after the date of enactment of this Act, the Director of the Indian Health Service shall establish a nationally representative panel to establish processes and procedures for the research and field studies conducted or supported under subsection (a). The Director shall ensure that, at a minimum, the panel consists of the following individuals:

(1) Elected Tribal leaders or their designees.

(2) Tribal public health practitioners and experts from the national and regional levels.

Duties
The panel established under subsection (c) shall, at a minimum

(1) advise the Director of the Indian Health Service on the processes and procedures regarding the design, implementation, and evaluation of, and reporting on, research and field studies conducted or supported under this section;

(2) develop and share resources on Tribal public health data surveillance and reporting, including best practices; and

(3) carry out such other activities as may be appropriate to

establish processes and procedures for the research and field studies conducted or supported under subsection (a).</text></paragraph></subsection>

<subsection

id="H706F01B73F2F4BB593ACE0112702A83D"><enum>(e)</enum><header>Report</header><text display-inline="yes-display-inline">Not later than 1 year after expending all funds made available to carry out this section, the Director of the Indian Health Service, in coordination with the panel established under subsection (c), shall submit an initial report on the results of the research and field studies under this section toâ€</text>

<paragraph id="H07CCDE12F4DB43788CFB02D27B417E6A"><enum>(1)</enum><text display-inline="yes-display-inline">the Committee on Energy and Commerce and the Committee on Natural Resources of the House of Representatives; and</text></paragraph>

<paragraph id="H018098A1BA01437FA34074C0E7E243B5"><enum>(2)</enum><text>the Committee on Indian Affairs and the Committee on Health, Education, Labor and Pensions of the Senate.</text></paragraph></subsection>

<subsection id="H0F79E9A102B3495BBB04B8A62CFFCA11"><enum>(f)</enum><header>Tribal data sovereignty</header><text display-inline="yes-display-inline">The Director of the Indian Health Service shall ensure that all research and field studies conducted or supported under this section are tribally-directed and carried out in a manner which ensures Tribal-direction of all data collected under this sectionâ€</text>

<paragraph id="H5B3AAA45E28249869BB3E19D6E62423D"><enum>(1)</enum><text>according to Tribal best practices regarding research design and implementation, including by ensuring the consent of the Tribes involved to public reporting of Tribal data;</text></paragraph>

<paragraph id="H2FED9F6F9BF340E6AD84C58FB561B72D"><enum>(2)</enum><text>according to all relevant and applicable Tribal, professional, institutional, and Federal standards for conducting research and governing research ethics;</text></paragraph>

<paragraph id="H3AB9ED8432934734A59B512B900C9925"><enum>(3)</enum><text>with the prior and informed consent of any Indian Tribe participating in the research or sharing data for use under this section; and</text></paragraph>

<paragraph id="H6B5D64DC28EF4771A8F41591238F3E14"><enum>(4)</enum><text>in a manner that respects the inherent sovereignty of Indian Tribes, including Tribal governance of data and research.</text></paragraph></subsection>

<subsection id="HB38E9E682D914CDE918BCE29C385901D"><enum>(g)</enum><header>Final report</header><text>Not later than December 31, 2023, the Director of the Indian Health Service shallâ€</text>

<paragraph id="H20680DDA26E643DC82151BE81764E651"><enum>(1)</enum><text>update and finalize the initial report under subsection (e); and</text></paragraph>

<paragraph id="H9DE13D6DE314417A86DDF68829A6C1DD"><enum>(2)</enum><text>submit such final report to the committees specified in such subsection.</text></paragraph></subsection>

<subsection

id="H9248B8537982477282D0CD09E603EF35"><enum>(h)</enum><header>Definitions</header><text>In this section:</text>

<paragraph id="H3F6763BE647543D68C420E1BAD00F88"><enum>(1)</enum><text display-inline="yes-display-inline">The terms <term>Indian Tribe</term> and <term>Tribal organization</term> have the meanings given to such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).</text></paragraph>

<paragraph id="H81B50F351C3D4C24AF590D29ACB9B610"><enum>(2)</enum><text>The term <term>Urban Indian organization</term> has the meaning given to such term in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).</text></paragraph></subsection>

<subsection

id="H9C5DC823EB9C4FBD961796262A6CECE1"><enum>(i)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">There is authorized to be appropriated to carry out this section \$25,000,000, to remain available until expended.</text></subsection></section>

<section id="HC1B4EE6C44FC454AAF2DDCD4266B9E00"><enum>30576.</enum><header>CDC field studies pertaining to specific health inequities</header>

<subsection id="H0344AFA01DFD44DAAA788BB57BF6ECD2"><enum>(a)</enum><header>In general</header><text>Not later than 90 days after the date of enactment of this Act, the Secretary, acting through the Centers for Disease Control and Prevention, in collaboration with State, local, and territorial health departments, shall complete (by the reporting deadline in subsection (b)) field studies to better understand health inequities that are not currently tracked by the Secretary. Such studies shall include an analysis of

<paragraph id="H00F808A469584046B4905B37FC9A1173"><enum>(1)</enum><text>the impact of socioeconomic status on health care access and disease outcomes, including COVID-19 outcomes;</text></paragraph>

<paragraph id="H267855A24BE0441FBB99586A372A4673"><enum>(2)</enum><text>the impact of disability status on health care access and disease outcomes, including COVID-19 outcomes;</text></paragraph>

<paragraph id="H5B49A6E5E9A246BE9D03130D8C3E33CD"><enum>(3)</enum><text display-inline="yes-display-inline">the impact of language preference on health care access and disease outcomes, including COVID-19 outcomes;</text></paragraph>

<paragraph id="H1929924E4A6A4AAB85BC988393ECDB09"><enum>(4)</enum><text>factors contributing to disparities in health outcomes for the COVID-19 pandemic; and</text></paragraph>

<paragraph id="H935E9F2FDCFA45FA9DFC3F5820A59461"><enum>(5)</enum><text>other topics related to disparities in health outcomes for the COVID-19 pandemic, as determined by the Secretary.</text></paragraph></subsection>

<subsection id="HAF33971DFE5D4C688A69240964B7E839"><enum>(b)</enum><header>Report</header><text>Not later than December 31, 2021, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate an initial report on the results of the field studies under this section.</text></subsection>

<subsection id="H0B7A11437AD449AEB822FC2303939093"><enum>(c)</enum><header>Final report</header><text>Not later than December 31, 2023, the Secretary shall

<paragraph id="H9558E76BC5C140A09D6F49EEFA7F2EB3"><enum>(1)</enum><text>update and finalize the initial report under subsection (b); and</text></paragraph>

<paragraph id="H897BD9FE2F42402B88A01CA4F941C10A"><enum>(2)</enum><text>submit such final report to the committees specified in such subsection.</text></paragraph></subsection>

<subsection id="H6071D2BB5F3640BBBF1D200CE128329"><enum>(d)</enum><header>Authorization of appropriations</header><text>There is authorized to be appropriated to carry out this section \$25,000,000, to remain available until expended.</text></subsection></section>

<section id="H0B415E82C2E24054A3CAAB4C9BB09DA0"><enum>30577.</enum><header>Additional reporting to Congress on the race and ethnicity rates of COVID-19 testing, hospitalizations, and mortalities</header>

<subsection id="HE925BF20A3074F3B88228D0D8FB34847"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Not later than August 1, 2020, the Secretary shall submit to the Committee on Appropriations and the Committee on Energy and Commerce of the House of Representatives and the Committee on Appropriations and the Committee on Health, Education, Labor and Pensions of the Senate an initial report

<paragraph id="HA77E59659EB94AC1BAFE1932817498D6"><enum>(1)</enum><text display-inline="yes-display-inline">describing the testing, positive diagnoses, hospitalization, intensive care admissions, and mortality rates associated with COVID-19, disaggregated by race, ethnicity, age, sex, gender, geographic region, and other relevant factors as determined by the Secretary;</text></paragraph>

<paragraph id="H9649B407B1544F389C55D18C4EE69A50"><enum>(2)</enum><text>including an

analysis of any variances of testing, positive diagnoses, hospitalizations, and deaths by demographic characteristics; and</text></paragraph>

<paragraph id="H117C959888044698BD3CC3E313FB922F"><enum>(3)</enum><text>including proposals for evidenced-based response strategies to reduce disparities related to COVIDâ€"19.</text></paragraph></subsection>

<subsection id="H868111F4156E4A7D8132BCBC61F7C548"><enum>(b)</enum><header>Final report</header><text>Not later than December 31, 2024, the Secretary shallâ€"</text>

<paragraph id="HDAE1E145C0CF41A0A9FA0A6E10568935"><enum>(1)</enum><text>update and finalize the initial report under subsection (a); and</text></paragraph>

<paragraph id="H44315D29B40B4CFE84D513CE0183DEF9"><enum>(2)</enum><text>submit such final report to the committees specified in such subsection.</text></paragraph></subsection>

<subsection id="HF7AE7C32CE4240999A17A4C2E04DD63D"><enum>(c)</enum><header>Coordination</header><text display-inline="yes-display-inline">In preparing the report submitted under this section, the Secretary shall take into account and otherwise coordinate such report with reporting required under section 30572 and under the heading <quote>Department of Health and Human Servicesâ€"Office of the Secretaryâ€"Public Health and Social Service Emergency Fund</quote> in title I of division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139; 134 Stat. 620, 626).</text></subsection></section></subtitle>

<subtitle id="H82EA25A6BC984D4895C0D90B512327BB"><enum>F</enum><header>Miscellaneous</header>

<section id="H1EF48326F5734405AC9F4951D1AB3831" section-type="subsequent-section"><enum>30581.</enum><header>Technical corrections to amendments made by CARES Act</header>

<subsection id="H4F156982442344E2A5F44A37F5D5E43A"><enum>(a)</enum><text>The amendments made by this section shall take effect as if included in the enactment of the CARES Act (Public Law 116â€"136).</text></subsection>

<subsection id="H4ABAF82006B54383BCAEC8B2241D710B"><enum>(b)</enum><text display-inline="yes-display-inline">Section 3112 of division A of the CARES Act (Public Law 116â€"136) is amendedâ€"</text>

<paragraph id="H79E42993029D4A399A218290EA09DCC3"><enum>(1)</enum><text display-inline="yes-display-inline">in subsection (a) (2) (A), by striking the comma before <quote>or a permanent</quote>;</text></paragraph>

<paragraph id="H0F80153A864C40FE9DC0C37C47923F4D"><enum>(2)</enum><text display-inline="yes-display-inline">in subsection (d) (1), by striking <quote>and subparagraphs (A) and (B)</quote> and inserting <quote>as subparagraphs (A) and (B)</quote>; and</text></paragraph>

<paragraph id="H521F20F263AC411A85C4F7A8C9509503"><enum>(3)</enum><text display-inline="yes-display-inline">in subsection (e), by striking <quote>Drug, Cosmetic Act</quote> and inserting <quote>Drug, and Cosmetic Act</quote>.</text></paragraph></subsection>

<subsection id="H2DCCC465FD274A17A10D2D03B456910A"><enum>(c)</enum><text display-inline="yes-display-inline">Section 6001(a) (1) (D) of division F of the Families First Coronavirus Response Act (Public Law 116â€"127), as amended by section 3201 of division A of the CARES Act (Public Law 116â€"136), is amended by striking <quote>other test that</quote>.</text></subsection>

<subsection id="H7038E791CF9345FCB4B73406458F2D53"><enum>(d)</enum><text display-inline="yes-display-inline">Subsection (k) (9) of section 543 of the Public Health Service Act (42 U.S.C. 290ddâ€"2), as added by section 3221(d) of division A of the CARES Act (Public Law 116â€"136), is amended by striking <quote>unprotected health information</quote> and inserting <quote>unsecured protected health information</quote>.</text></subsection>

<subsection id="HF38B015CA4F04DF09C2CE2FC0F861B56"><enum>(e)</enum><text display-inline="yes-display-inline">Section 3401(2) (D) of division A of the CARES Act (Public

Law 116â€"136), is amended by striking <quote>Not Later than</quote> and inserting <quote>Not later than</quote>.</text></subsection>

<subsection id="H4BBB219D908543D7950C52E9A5900D0F"><enum>(f)</enum><text display-inline="yes-display-inline">Section 831(f) of the Public Health Service Act, as redesignated by section 3404(a)(6)(E) and amended by section 3404(a)(6)(G) of division A of the CARES Act (Public Law 116â€"136), is amended by striking <quote>a health care facility, or a partnership of such a school and facility</quote>.</text></subsection>

<subsection id="H7F5DE31820464427B1FB2280C1BCEE4D"><enum>(g)</enum><text display-inline="yes-display-inline">Section 846(i) of the Public Health Service Act, as amended by section 3404(i)(8)(C) of division A of the CARES Act (Public Law 116â€"136), is amended by striking <quote>871(b),,</quote> and inserting <quote>871(b),</quote>.</text></subsection>

<subsection id="HA4FE447C82AB4BAA97B2DFC028F62A30"><enum>(h)</enum><text display-inline="yes-display-inline">Section 3606(a)(1)(A) of division A of the CARES Act (Public Law 116â€"136) is amended by striking <quote>In general</quote> and inserting <quote><header-in-text level="subparagraph" style="OLC">In general</header-in-text></quote>.</text></subsection>

<subsection id="H1B0E2CCF19624C4584AD889B541B9FE4"><enum>(i)</enum><text display-inline="yes-display-inline">Section 3856(b)(1) of division A of the CARES Act (Public Law 116â€"136) is amended to read as follows:</text>

<quoted-block style="OLC" id="H38000C99988C4D4F9A21945F92073B5D" display-inline="no-display-inline">

<paragraph id="HC393A410E7D2436094C5A1B743D34D3B"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">Section 905(b)(4) of the FDA Reauthorization Act of 2017 (Public Law 115â€"52) is amended by striking <quote>Section 744H(e)(2)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379jâ€"52(e)(2)(B))</quote> and inserting <quote>Section 744H(f)(2)(B) of the Federal Food, Drug, and Cosmetic Act, as redesignated by section 403(c)(1) of this Act,</quote>.</text></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection></section></subtitle></title>

<title id="H6C97ABAA3BED419E964A9B81B31749DB"><enum>VI</enum><header>Public Health Assistance</header>

<subtitle id="H3C6CE15EF42A408A88190809256202C4"><enum>A</enum><header>Assistance to Providers and Health System</header>

<section id="HD62C5088C0C24821BD6A77C0B4BDCEF8"><enum>30611.</enum><header>Health Care Provider Relief Fund</header>

<subsection id="HB1EFC00E462344BA9A78EA9695AF64AC"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Not later than 7 days after the date of enactment of this Act, the Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a program under which the Secretary shall reimburse, through grants or other mechanisms, eligible health care providers for eligible expenses or lost revenues occurring during calendar quarters beginning on or after January 1, 2020, to prevent, prepare for, and respond to COVIDâ€"19, in an amount calculated under subsection (c).</text></subsection>

<subsection id="HE81C1E36E830497093226CD48E2FCDB5"><enum>(b)</enum><header>Quarterly basis</header>

<paragraph id="H2FEFBDB123914FFA975027D195440EC8"><enum>(1)</enum><header>Submission of applications</header><text display-inline="yes-display-inline">The Secretary shall give applicants a period of 7 calendar days after the close of a quarter to submit applications under this section with respect to such quarter, except that the Secretary shall give applicants a period of 7 calendar days after the date of enactment of this Act to submit applications with respect to the quarter beginning on January 1, 2020, if the applicant has not previously submitted an application with the respect to such quarter.</text></paragraph>

<paragraph id="H1F446D5B7EC64A018D9ADD86DA8A86FD"><enum>(2)</enum><header>Review and payment</header><text>The Secretary shallâ€"</text>

<subparagraph id="H56EEF4871DC54604AAF458012222DC8D"><enum>(A)</enum><text>review

applications and make awards of reimbursement under this section on a quarterly basis;
and</text></subparagraph>

<subparagraph id="H34C140F43889443ABF78E4A28960B06C"><enum>(B)</enum><text display-inline="yes-display-inline">award the reimbursements under this section for a quarter not later than 14 calendar days after the close of the quarter, except that the Secretary shall award the reimbursements under this section for the quarter beginning on January 1, 2020, not later than 14 calendar days after the date of enactment of this Act.</text></subparagraph></paragraph></subsection>

<subsection id="H06FC3AAFABE34D2CAF48EBBACF2F1249"><enum>(c)</enum><header>Calculation</header>

<paragraph id="H31B1F21F7CBD46F0B3E218531D53AB64"><enum>(1)</enum><header>In general</header><text>The amount of the reimbursement to an eligible health provider under this section with respect to a calendar quarter shall equalâ€

<subparagraph id="H85965B7CC4114E98BBEA217A247E9EE7"><enum>(A)</enum><text>the sum ofâ€

<clause id="H345AD9CD4590468A986C5067FD5C8EED"><enum>(i)</enum><text display-inline="yes-display-inline">100 percent of the eligible expenses, as described in subsection (d), of the provider during the quarter; and</text></clause>

<clause id="H523767F2CFC741D493CDBA73E597DE6A"><enum>(ii)</enum><text>subject to paragraph (3), 60 percent of the lost revenues, as described in subsection (e), of the provider during the quarter; less</text></clause></subparagraph>

<subparagraph id="HC5D8E5DBB55A4614A50234BDB96D1E02"><enum>(B)</enum><text>any funds that areâ€

<clause id="H9258C67654E24A6EBFAA1A76BFC88797"><enum>(i)</enum><text display-inline="yes-display-inline">received by the provider during the quarter pursuant to the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116â€"123), the Families First Coronavirus Response Act (Public Law 116â€"127), the CARES Act (Public Law 116â€"136), or the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139); and</text></clause>

<clause id="HCEF0C6B168E54CE79275675A1DDF13D1"><enum>(ii)</enum><text>not required to be repaid.</text></clause></subparagraph></paragraph>

<paragraph id="HFD662831F2194378A189DBEDE052C30E"><enum>(2)</enum><header>Carryover</header><text display-inline="yes-display-inline">If the amount determined under paragraph (1) (B) for a calendar quarter with respect to an eligible health care provider exceeds the amount determined under subparagraph (A) with respect to such provider and quarter, the amount of such difference shall be applied in making the calculation under this subsection, over each subsequent calendar quarter for which the eligible health care provider seeks reimbursement under this section. </text></paragraph>

<paragraph id="H4A2039CCEB2848EC8FB4BB3A10D04F1C"><enum>(3)</enum><header>Lost revenue limitation</header><text display-inline="yes-display-inline">If the amount determined under subsection (e) with respect to the lost revenue of an eligible health care provider for a calendar quarter does not exceed an amount that equals 10 percent of the net patient revenue (as defined in such subsection) of the provider for the corresponding quarter in 2019, the addend under paragraph (1) (A) (ii), in making the calculation under paragraph (1), is deemed to be zero. </text></paragraph></subsection>

<subsection id="HDAE58070D402467583AAEA72847409CA"><enum>(d)</enum><header>Eligible expenses</header><text display-inline="yes-display-inline">Subject to subsection (h) (1), expenses eligible for reimbursement under this section include expenses forâ€

<paragraph id="H487A9B8BD7A44F1BBDE5B60ED397ABCB"><enum>(1)</enum><text>building or construction of temporary structures;</text></paragraph>

<paragraph id="HE816000614FC4D389C63A508902EAF4F"><enum>(2)</enum><text>leasing of properties;</text></paragraph>

<paragraph id="HA555CC0265D4444BA49452D73E8367C3"><enum>(3)</enum><text>medical supplies and equipment including personal protective equipment;</text></paragraph>

<paragraph id="HB23219D2256E43E08F08AE722EDF3940"><enum>(4)</enum><text>in vitro diagnostic tests, serological tests, or testing supplies;</text></paragraph>

<paragraph id="HEFCED108E694416C8C2AD958E5030BE1"><enum>(5)</enum><text>increased workforce and trainings;</text></paragraph>

<paragraph id="H260E373D60EA4134BE46C13CF50D5969"><enum>(6)</enum><text>emergency operation centers;</text></paragraph>

<paragraph id="H6AE9164DA3C54AFAA300B494E5740100"><enum>(7)</enum><text>construction or retrofitting of facilities;</text></paragraph>

<paragraph id="H17669E18CE9A4A00865254EB085AE747"><enum>(8)</enum><text>mobile testing units;</text></paragraph>

<paragraph id="H7316DD2F9F0C4B079DEEF0D1F8149629"><enum>(9)</enum><text>surge capacity;</text></paragraph>

<paragraph id="H4136A4ED0C45487380D1472FAC89B15C"><enum>(10)</enum><text>retention of workforce; and</text></paragraph>

<paragraph id="H39CE69A596104C6B83D283763BC1A456"><enum>(11)</enum><text>such other items and services as the Secretary determines to be appropriate, in consultation with relevant stakeholders.</text></paragraph></subsection>

<subsection id="HA662AF94C35643FAA9FDB96EBF9D59E7"><enum>(e)</enum><header>Lost revenues</header>

<paragraph id="H6584D86009E24B1596FB87AA0F08525E"><enum>(1)</enum><header>In general</header><text>Subject to subsection (h) (1), for purposes of subsection (c) (1) (A) (ii), the lost revenues of an eligible health care provider, with respect to the calendar quarter involved, shall be equal toâ€

<subparagraph id="H1A14F8EE54724E848407CA4714519C4E"><enum>(A)</enum><text display-inline="yes-display-inline">net patient revenue of the provider for the corresponding quarter in 2019 minus net patient revenue of the provider for such quarter; less</text></subparagraph>

<subparagraph id="HFD12208E0E6A4311B6C9A3B79BD05D31"><enum>(B)</enum><text display-inline="yes-display-inline">the savings of the provider during the calendar quarter involved attributable to foregone wages, payroll taxes, and benefits of personnel who were furloughed or laid off by the provider during that quarter.</text></subparagraph></paragraph>

<paragraph id="H82691E471AD64D5C834D73FB7EAD52F0"><enum>(2)</enum><header>Net patient revenue defined</header><text display-inline="yes-display-inline">For purposes of paragraph (1) (A), the term <term>net patient revenue</term>, with respect to an eligible health care provider and a calendar quarter, means the sum ofâ€

<subparagraph id="H8942878E97F54C3082D881CAB0D7AF45"><enum>(A)</enum><text>200 percent of the total amount of reimbursement received by the provider during the quarter for all items and services furnished under a State plan or a waiver of a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.);</text></subparagraph>

<subparagraph id="H0E6DF3D0EDAF4F30BF7FD0E8EA025B6E"><enum>(B)</enum><text>125 percent of the total amount of reimbursement received by the provider during the quarter for all items and services furnished under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); and</text></subparagraph>

<subparagraph id="HF0B39C6E450843A4A9A0D11F9B0BF02A"><enum>(C)</enum><text display-inline="yes-display-inline">100 percent of the total amount of reimbursement not described in subparagraph (A) or (B) received by the provider during the quarter for all items and services.</text></subparagraph></paragraph></subsection>

<subsection id="H78B10C56E93D4E879A446078AB9758DC"><enum>(f)</enum><header>Insufficient funds for a quarter</header><text display-inline="yes-display-inline">If there are insufficient funds made available to reimburse all eligible health care providers for all eligible expenses and lost revenues for a quarter in accordance with this section, the Secretary shallâ€

<paragraph id="H2E88509A1C3448A4BAC47DF08D3BC34D"><enum>(1)</enum><text>prioritize reimbursement of eligible expenses; and</text></paragraph>

<paragraph id="H7C67A66095A0475CBC5584082F1E51AF"><enum>(2)</enum><text display-inline="yes-display-inline">using the entirety of the remaining funds, uniformly reduce the percentage of lost revenues otherwise applicable under subsection (c)(1)(A)(ii) to the extent necessary to reimburse a portion of the lost revenues of all eligible health care providers applying for reimbursement.</text></paragraph></subsection>

<subsection id="HF73F5885D4354C7DB66D9A0D28F6C457"><enum>(g)</enum><header>Application</header><text display-inline="yes-display-inline">A health care provider seeking reimbursement under this section for a calendar quarter shall submit to the Secretary an application thatâ€

<paragraph id="HCBC5CB1BD77F4A6AA8F3915E79E2B47E" display-inline="no-display-inline"><enum>(1)</enum><text>provides documentation demonstrating that the health care provider is an eligible health care provider;</text></paragraph>

<paragraph id="HAB0660EB72FC4D5E87B13AEBBDA8D319"><enum>(2)</enum><text>includes a valid tax identification number of the health care provider;</text></paragraph>

<paragraph id="HF925E171F51D4D4682AA09D1BDE198DA"><enum>(3)</enum><text display-inline="yes-display-inline">attests to the eligible expenses and lost revenues of the health care provider, as described in subsection (d), occurring during the calendar quarter;</text></paragraph>

<paragraph id="H91A9512A8FE44290ADD29FDA865D35EA"><enum>(4)</enum><text>includes an itemized listing of each such eligible expense, including expenses incurred in providing uncompensated care; </text></paragraph>

<paragraph id="H24943653B0C34BBDB6696A9650472EED"><enum>(5)</enum><text display-inline="yes-display-inline">for purposes of subsection (c)(3), attests to whether the amount determined under subsection (e) with respect to the lost revenue of an eligible health care provider for a calendar quarter exceeds an amount that equals 10 percent of the net patient revenue (as defined in such subsection) of the provider for the corresponding quarter in 2019;</text></paragraph>

<paragraph id="H545E7B33413B4101966D824B029ABC4C"><enum>(6)</enum><text display-inline="yes-display-inline">includes projections of the eligible expenses and lost revenues of the health care provider, as described in subsection (c), for the calendar quarter that immediately follows the calendar for which reimbursement is sought; and</text></paragraph>

<paragraph id="HBC8AA1C636C649A5A40B6025D1061640" commented="no"><enum>(7)</enum><text display-inline="yes-display-inline">indicates the dollar amounts described in each of subparagraphs (A) and (B) of subsection (e)(1) and subparagraphs (A), (B), and (C) of subsection (e)(2) for the calendar quarter.</text></paragraph></subsection>

<subsection id="H8E4827EB714240978DB7AC42931F98C4"><enum>(h)</enum><header>Limitations</header>

<paragraph id="HE0D91D47ED7841829BCEA824E50BAB54"><enum>(1)</enum><header>No duplicative reimbursement</header><text display-inline="yes-display-inline">The Secretary may not provide, and a health care provider may not accept, reimbursement under this section for expenses or losses with respect to whichâ€

<subparagraph id="HA98FA5F2D4C9409AA61795F70A2FA96A"><enum>(A)</enum><text>the eligible health care provider is reimbursed from other sources; or</text></subparagraph>

<subparagraph id="H9DB91360B47842248DAF3F8B27D4FA49"><enum>(B)</enum><text>other sources are obligated to reimburse the provider.</text></subparagraph></paragraph>

<paragraph id="HA1B97938339041CCA8B247942B943CA1"><enum>(2)</enum><header>No executive compensation</header><text display-inline="yes-display-inline">Reimbursement for eligible expenses (as described in subsection (e)) and lost revenues (as described in subsection (f)) shall not include compensation or benefits, including salary, bonuses, awards of stock, or other financial benefits, for an officer or employee described in section 4004(a)(2) of the CARES Act (Public Law 116â€(136).</text></paragraph></subsection>

<subsection id="HC41043656FC340159BAE82F8C300020B"><enum>(i)</enum><header>No balance billing as condition of receipt of funds</header>

<paragraph id="H7A5CB4A2D67348678AAA30BD0DEF04ED"><enum>(1)</enum><header>Protecting individuals enrolled in health plans</header><text display-inline="yes-display-inline">As a condition of receipt of reimbursement under this section, a health care provider, in the case such provider furnishes during the emergency period described in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320bâ€"5(g)(1)(B)) (whether before, on, or after, the date on which the provider submits an application under this section) a medically necessary item or service described in subparagraph (A), (B), or (C) of paragraph (3) to an individual who is described in such subparagraph (A), (B), or (C), respectively, and enrolled in a group health plan or group or individual health insurance coverage offered by a health insurance issuer (including grandfathered health plans as defined in section 1251(e) of the Patient Protection and Affordable Care Act (42 U.S.C. 18011(e)) and such provider is a nonparticipating provider with respect to such plan or coverage and such plan or coverage and such items and services would otherwise be covered under such plan if furnished by a participating providerâ€"</text>

<subparagraph id="H1EAFA06B35B54F6C88E077A22259E21A"><enum>(A)</enum><text>may not bill or otherwise hold liable such individual for a payment amount for such item or service that is more than the cost-sharing amount that would apply under such plan or coverage for such item or service if such provider furnishing such service were a participating provider with respect to such plan or coverage; </text></subparagraph>

<subparagraph id="HE829695A7D6E48F094D9F755A60C11E1"><enum>(B)</enum><text display-inline="yes-display-inline">shall reimburse such individual in a timely manner for any amount for such item or service paid by the individual to such provider in excess of such cost-sharing amount;</text></subparagraph>

<subparagraph id="HDDC88C5B304E457DB72BD01272698E8C"><enum>(C)</enum><text display-inline="yes-display-inline">shall submit any claim for such item or service directly to the plan or coverage; and</text></subparagraph>

<subparagraph id="HBF588F3F00354D8D8A58B9DB4CF66A2C"><enum>(D)</enum><text>shall not bill the individual for such cost-sharing amount until such individual is informed by the plan or coverage of the required payment amount.</text></subparagraph></paragraph>

<paragraph id="H735EB01D743447CC86B4721BD759670E"><enum>(2)</enum><header>Protecting uninsured individuals</header><text display-inline="yes-display-inline">As a condition of receipt of reimbursement under this section, a health care provider, in the case such reimbursement is with respect to expenses incurred in providing uncompensated care (as described in subsection (g)(4)) with respect to a medically necessary item or service described in subparagraph (A), (B), or (C) of paragraph (3) furnished during such emergency period (whether before, on, or after, the date on which the provider submits an application under this section) by the provider to an individual who is described in such subparagraph (A), (B), or (C), respectivelyâ€"</text>

<subparagraph id="HF7239B39803A48B9BB1AE23DBCD1C99A"><enum>(A)</enum><text>shall consider such reimbursement as payment in full with respect to such item or service so furnished to such individual;</text></subparagraph>

<subparagraph id="H65F4E18CF525400E84C52972BB3E114B"><enum>(B)</enum><text>may not bill or otherwise hold liable such individual for any payment for such item or service so furnished to such individual; and</text></subparagraph>

<subparagraph id="H6899896C350B48D8AC38265D9F3A8628"><enum>(C)</enum><text>shall reimburse such individual in a timely manner for any amount for such item or service paid by the individual to such provider.</text></subparagraph></paragraph>

<paragraph id="HF6BAD82970D84C279F3C5859362E7D01"><enum>(3)</enum><header>Medically necessary items and services described</header><text>For purposes of this subsection, medically necessary items and services described in this paragraph areâ€"</text>

<subparagraph id="H95A7D6DD66C94E438F1988E8ADDCAC8E"><enum>(A)</enum><text display-inline="yes-display-inline">medically necessary items and services (including in-person or telehealth visits in which such items and services are furnished) that are furnished to an individual who has been diagnosed with (or after provision of the items and services is diagnosed with) COVIDâ€"19 to treat or mitigate the effects of COVIDâ€"19;</text></subparagraph>

<subparagraph id="HDE16C7DCE5544D7C8D5809DF7B8680BE"><enum>(B)</enum><text display-inline="yes-display-inline">medically necessary items and services (including in-person

or telehealth visits in which such items and services are furnished) that are furnished to an individual who is presumed, in accordance with paragraph (4), to have COVIDâ€"19 but is never diagnosed as such; and</text></subparagraph>

<subparagraph id="H5D9D694260D64F6A9006F7B792AAC745"><enum>(C)</enum><text display-inline="yes-display-inline">a diagnostic test (and administration of such test) as described in section 6001(a) of division F of the Families First Coronavirus Response Act (42 U.S.C. 1320bâ€"5 note) administered to an individual.</text></subparagraph></paragraph>

<paragraph id="HDE5BB3007DC749D9AB8CA092998E4CC7"><enum>(4)</enum><header>Presumptive case of COVIDâ€"19</header><text display-inline="yes-display-inline">For purposes of paragraph (3)(B), an individual shall be presumed to have COVIDâ€"19 if the medical record documentation of the individual supports a diagnosis of COVIDâ€"19, even if the individual does not have a positive in vitro diagnostic test result in the medical record of the individual.</text></paragraph>

<paragraph id="HF7D9BCC53F9142A9839AB8E05DDDE427"><enum>(5)</enum><header>Penalty</header><text>In the case of an eligible health care provider that is paid a reimbursement under this section and that is in violation of paragraph (1) or (2), in addition to any other penalties that may be prescribed by law, the Secretary may recoup from such provider up to the full amount of reimbursement the provider receives under this section.</text></paragraph>

<paragraph id="HAB4D6DE02D5D4EF386DBC20E97615BF2"><enum>(6)</enum><header>Definitions</header><text display-inline="yes-display-inline">In this subsection:</text>

<subparagraph id="H71B0C4C7FBB24C24B2161A5640F5207B"><enum>(A)</enum><header>Nonparticipating provider</header><text display-inline="yes-display-inline">The term <term>nonparticipating provider</term> means, with respect to an item or service and group health plan or group or individual health insurance coverage offered by a health insurance issuer, a health care provider that does not have a contractual relationship directly or indirectly with the plan or issuer, respectively, for furnishing such an item or service under the plan or coverage.</text></subparagraph>

<subparagraph id="H53849CEBF78049AFA44E342FBBA161B1"><enum>(B)</enum><header>Participating provider</header><text display-inline="yes-display-inline">The term <term>participating provider</term> means, with respect to an item or service and group health plan or group or individual health insurance coverage offered by a health insurance issuer, a health care provider that has a contractual relationship directly or indirectly with the plan or issuer, respectively, for furnishing such an item or service under the plan or coverage.</text></subparagraph>

<subparagraph id="H1531277D68E24EE2993E82D4BD7A00D0"><enum>(C)</enum><header>Group health plan, health insurance coverage</header><text>The terms <term>group health plan</term>, <term>health insurance issuer</term>, <term>group health insurance coverage</term>, and <term>individual health insurance coverage</term> shall have the meanings given such terms under section 2791 of the Public Health Service Act (42 U.S.C. 300ggâ€"91).</text></subparagraph></paragraph></subsection>

<subsection id="HC39AFCA3D65140C9AE3270E564EC4482"><enum>(j)</enum><header>Reports</header>

<paragraph id="HC0CD930603604818A42833738B0D5FDB"><enum>(1)</enum><header>Award information</header><text>In making awards under this section, the Secretary shall post in a searchable, electronic format, a list of all recipients and awards pursuant to funding authorized under this section.</text></paragraph>

<paragraph id="H9A0C6591F0B74629AD0020819CC7BC85"><enum>(2)</enum><header>Reports by recipients</header><text display-inline="yes-display-inline">Each recipient of an award under this section shall, as a condition on receipt of such award, submit reports and maintain documentation, in such form, at such time, and containing such information, as the Secretary determines is needed to ensure compliance with this section.</text></paragraph>

<paragraph id="HDD16185A162D49899D280C765DADD894"><enum>(3)</enum><header>Public

listing of awards</header><text>The Secretary shallâ€" </text>

<subparagraph id="H6647AE9F07984B90BAA15AA3D1385C58"><enum>(A)</enum><text>not later than 7 days after the date of enactment of this Act, post in a searchable, electronic format, a list of all awards made by the Secretary under this section, including the recipients and amounts of such awards; and</text></subparagraph>

<subparagraph id="H99C92DE4B6684D769EF4AD870D6D8E7F"><enum>(B)</enum><text>update such list not less than every 7 days until all funds made available to carry out this section are expended.</text></subparagraph></paragraph>

<paragraph id="H69D3D63013E54F89B211F4FBAC4B60BA"><enum>(4)</enum><header>Inspector General report</header>

<subparagraph id="H5125539C826E4ACF958C3CBD0CD0DA3A"><enum>(A)</enum><header>In general</header><text>Not later than 3 years after final payments are made under this section, the Inspector General of the Department of Health and Human Services shall transmit a final report on audit findings with respect to the program under this section to the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor and Pensions and the Committee on Appropriations of the Senate.</text></subparagraph>

<subparagraph id="H90F7D08998DE4A9D981F9FFE631DFA81"><enum>(B)</enum><header>Rule of construction</header><text>Nothing in this paragraph shall be construed as limiting the authority of the Inspector General of the Department of Health and Human Services or the Comptroller General of the United States to conduct audits of interim payments earlier than the deadline described in subparagraph (A).</text></subparagraph></subsection>

<subsection id="H0FACA28F35AC4E17BA8797EC11389A81"><enum>(k)</enum><header>Eligible health care provider defined</header><text display-inline="yes-display-inline">In this section:</text>

<paragraph id="HE750C183560048CD889B8D039DBEBCE0"><enum>(1)</enum><header>In general</header><text>The term <term>eligible health care provider</term> means a health care provider described in paragraph (2) that provides diagnostic or testing services or treatment to individuals with a confirmed or presumptive diagnosis of COVIDâ€"19.</text></paragraph>

<paragraph id="HE83E3722234A4E39B60F25EE64FC8973"><enum>(2)</enum><header>Health care providers described</header><text>A health care provider described in this paragraph is any of the following:</text>

<subparagraph id="H29BDF64653D742D2A372F6284828D409"><enum>(A)</enum><text>A health care provider enrolled as a participating provider under a State plan approved under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) (or a waiver of such a plan).</text></subparagraph>

<subparagraph id="H1AE23C7FB1AF44DCA671986792B7DE37"><enum>(B)</enum><text>A provider of services (as defined in subsection (u) of section 1861 of the Social Security Act (42 U.S.C. 1395x)) or a supplier (as defined in subsection (d) of such section) that is enrolled as a participating provider of services or participating supplier under the Medicare program under title XVIII of such Act (42 U.S.C. 1395 et seq.).</text></subparagraph>

<subparagraph id="H9D56E5D4B0F34AABBD8EB29CA211ECF7"><enum>(C)</enum><text>A public entity.</text></subparagraph>

<subparagraph id="HF777C36FE02C4B4CAEA904B09DF0C558"><enum>(D)</enum><text>Any other entity not described in this paragraph as the Secretary may specify.</text></subparagraph></paragraph></subsection>

<subsection id="H16BC36A722614BEE9B59F09968CF9FC0"><enum>(1)</enum><header>Funding</header>

<paragraph id="H772C7C9BAEE549F6A0CCF7997B3C2CA2"><enum>(1)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">There is authorized to be appropriated for an additional amount to carry out this section \$100,000,000,000, to remain available until expended.</text></paragraph>

<paragraph id="H5E4CAB19BFD24753B1FCDA341098EB5C"><enum>(2)</enum><header>Health Care

Provider Relief Fund</header>

<subparagraph id="HD30C644E352A4BC086ADBABF98A52070"><enum>(A)</enum><header>Use of appropriated funds</header>

<clause id="HB1BD337383E6495CA3EBA4447E93FAA4"><enum>(i)</enum><header>In general</header><text>In addition to amounts authorized to be appropriated pursuant to paragraph (1), the unobligated balance of all amounts appropriated to the Health Care Provider Relief Fund shall be made available only to carry out this section.</text></clause>

<clause id="H3D4FDAA357BC485D8483AA97C0C1D4FB"><enum>(ii)</enum><header>Amounts</header><text display-inline="yes-display-inline">For purposes of clause (i), the following amounts are deemed to be appropriated to the Health Care Provider Relief Fund:</text>

<subclause id="H56201F0A0BBC44178CDF1CC1B09F3366"><enum>(I)</enum><text>The unobligated balance of the appropriation of \$100,000,000,000 in the third paragraph under the heading <quote>Department of Health and Human Servicesâ€"Office of the Secretaryâ€"Public Health and Social Services Emergency Fund</quote> in division B of the CARES Act (Public Law 116â€"136).</text></subclause>

<subclause id="H03219C0100D8434281483E3F53B30D93"><enum>(II)</enum><text display-inline="yes-display-inline">The unobligated balance of the appropriation under the heading <quote>Department of Health and Human Servicesâ€"Office of the Secretaryâ€"Public Health and Social Services Emergency Fund</quote> in division B of the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116â€"139).</text></subclause></clause></subparagraph>

<subparagraph id="H10C3F695D5034F56B40E30FB7FB6FE5A"><enum>(B)</enum><header>Limitation</header><text>Of the unobligated balances described in subparagraph (A)(ii), the Secretary may not make available more than \$10,000,000,000 to reimburse eligible health care providers for expenses incurred in providing uncompensated care. </text></subparagraph>

<subparagraph id="H9FBEBF11C2F74E22A6B9CC1E49B8CDCF"><enum>(C)</enum><header>Future amounts</header><text>Any appropriation enacted subsequent to the date of enactment of this Act that is made available for reimbursing eligible health care providers as described in subsection (a) shall be made available only to carry out this section.</text></subparagraph></paragraph></subsection></section>

<section id="H57AF472AB51D4D4293E179CC300B0522"><enum>30612.</enum><header>Public Health Workforce Loan Repayment Program</header><text display-inline="no-display-inline">Part D of title III of the Public Health Service Act (42 U.S.C. 254b et seq.) is amended by adding at the end the following new subpart:</text>

<quoted-block style="OLC" id="HCB5858A80A0A46B98B806F18056C373F" display-inline="no-display-inline">

<subpart id="H68BA314172EE461FA2B01C9DA43EAC45"><enum>XIII</enum><header>Public Health Workforce</header>

<section id="HA775425099EE4F88B67C2F9E6F1FE24B" commented="no"><enum>340J.</enum><header>Loan Repayment Program</header>

<subsection id="HD39C8FC879134C0E9B4B1960E9908A55" commented="no"><enum>(a)</enum><header>Establishment</header><text>The Secretary of Health and Human Services shall establish a program to be known as the Public Health Workforce Loan Repayment Program (referred to in this section as the <quote>Program</quote>) to assure an adequate supply of and encourage recruitment of public health professionals to eliminate critical public health workforce shortages in local, State, territorial, and Tribal public health agencies.</text></subsection>

<subsection id="H47A1BA225EF149FF8C7FEAAFED4A056E" commented="no"><enum>(b)</enum><header>Eligibility</header><text>To be eligible to participate in the Program, an individual shallâ€"</text>

<paragraph id="HE7DF0A526DFB40C28272D79335D9F6CC" commented="no"><enum>(1)</enum>

<subparagraph id="HD5641BBC996C4C41B2ED4D7A029931A8" display-inline="yes-display-inline" commented="no"><enum>(A)</enum><text display-inline="yes-display-inline">be

accepted for enrollment, or be enrolled, as a student in an accredited academic educational institution in a State or territory in the final semester or equivalent of a course of study or program leading to a public health degree, a health professions degree or certificate, or a degree in computer science, information science, information systems, information technology, or statistics and have accepted employment with a local, State, territorial, or Tribal public health agency, or a related training fellowship, as recognized by the Secretary, to commence upon graduation;

<subparagraph id="H3642DBE4DB094D04859E7F79E07B49A1" indent="up1" commented="no"><enum>(B)</enum>

<clause id="H6081D78D61624655AC186B15F51D00E9" display-inline="yes-display-inline" commented="no"><enum>(i)</enum><text display-inline="yes-display-inline">have graduated, during the preceding 10-year period, from an accredited educational institution in a State or territory and received a public health degree, a health professions degree or certificate, or a degree in computer science, information science, information systems, information technology, or statistics;

<clause id="HEA1532320D0F44C493170BBC8C7EFD92" indent="up1" commented="no"><enum>(ii)</enum><text>be employed by, or have accepted employment with, a local, State, territorial, or Tribal public health agency or a related training fellowship, as recognized by the Secretary;</text></clause></subparagraph></paragraph>

<paragraph id="H847462F85B244152A1410AD05AABFCEB" commented="no"><enum>(2)</enum><text>be a United States citizen; </text></paragraph>

<paragraph id="H064174BC290F408CBA0726D919560C94" commented="no"><enum>(3)</enum>

<subparagraph id="H1BD0E1BEB77945C09FB58CCDE18B4D56" display-inline="yes-display-inline" commented="no"><enum>(A)</enum><text>submit an application to the Secretary to participate in the Program; and</text></subparagraph>

<subparagraph id="H106C0C608A0A47A9914FBACA101B7269" indent="up1" commented="no"><enum>(B)</enum><text>execute a written contract as required in subsection (c); and</text></subparagraph></paragraph>

<paragraph id="HE85571442CD446D39CD9D23B3E5EE6E0" commented="no"><enum>(4)</enum><text display-inline="yes-display-inline">not have received, for the same service, a reduction of loan obligations under section 428K or 428L of the Higher Education Act of 1965 (20 U.S.C. 1078â€"11, 1078â€"12).</text></paragraph></subsection>

<subsection id="H0FB8B229D9C7468D872F373D34C375A5" commented="no"><enum>(c)</enum><header>Contract</header><text>The written contract referred to in subsection (b) (3) (B) between the Secretary and an individual shall containâ€"</text>

<paragraph id="HA2BABAE563E04CCC8817B62B67297178" commented="no"><enum>(1)</enum><text>an agreement on the part of the Secretary that the Secretary will repay, on behalf of the individual, loans incurred by the individual in the pursuit of the relevant degree or certificate in accordance with the terms of the contract;</text></paragraph>

<paragraph id="HD3F6E30DE26A4C91AD52AF677A12F39B" commented="no"><enum>(2)</enum><text>an agreement on the part of the individual that the individual will serve in the full-time employment of a local, State, or Tribal public health agency or a related fellowship program in a position related to the course of study or program for which the contract was awarded for a period of time equal to the greater ofâ€"</text>

<subparagraph id="HAB9CED16026942FAAF15F5C1ADF707E6" commented="no"><enum>(A)</enum><text>2 years; or</text></subparagraph>

<subparagraph id="H1B7321F9FE1D4985BAD28044261CF0B2" commented="no"><enum>(B)</enum><text>such longer period of time as determined appropriate by the Secretary and the individual;</text></subparagraph></paragraph>

<paragraph id="H646231C2F1FF424A8BEEC2E2F3425B6A" commented="no"><enum>(3)</enum><text>an agreement, as appropriate, on the part of the individual to relocate to a priority service area (as determined by the Secretary) in

exchange for an additional loan repayment incentive amount to be determined by the Secretary;

(4) a provision that any financial obligation of the United States arising out of a contract entered into under this section and any obligation of the individual that is conditioned thereon, is contingent on funds being appropriated for loan repayments under this section;

(5) a statement of the damages to which the United States is entitled, under this section for the individual's breach of the contract; and

(6) such other statements of the rights and liabilities of the Secretary and of the individual as the Secretary determines appropriate, not inconsistent with this section.

(d) **Payments**

(1) **In general**—A loan repayment provided for an individual under a written contract referred to in subsection (b) (3) (B) shall consist of payment, in accordance with paragraph (2), for the individual toward the outstanding principal and interest on education loans incurred by the individual in the pursuit of the relevant degree in accordance with the terms of the contract.

(2) **Equitable distribution**—In awarding contracts under this section, the Secretary shall ensure—

(A) a certain percentage of contracts are awarded to individuals who are not already working in public health departments;

(B) an equitable distribution of funds geographically; and

(C) an equitable distribution among State, local, territorial, and Tribal public health departments.

(3) **Payments for years served**—For each year of service that an individual contracts to serve pursuant to subsection (c) (2), the Secretary may pay not more than \$35,000 on behalf of the individual for loans described in paragraph (1). With respect to participants under the Program whose total eligible loans are less than \$105,000, the Secretary shall pay an amount that does not exceed " of the eligible loan balance for each year of such service of such individual.

(4) **Tax liability**—For purposes of the Internal Revenue Code of 1986, a payment made under this section shall be treated in the same manner as an amount received under section 338B(g) of this Act, as described in section 108(f) (4) of such Code.

(e) **Postponing obligated service**—With respect to an individual receiving a degree or certificate from a health professions or other related school, the date of the initiation of the period of obligated service may be postponed as approved by the Secretary.

(f) **Breach of contract**—An individual who fails to comply with the contract entered into under subsection (c) shall be subject to the same financial penalties as provided for under section 338E of the

Public Health Service Act (42 U.S.C. 254o) for breaches of loan repayment contracts under section 338B of such Act (42 U.S.C. section 254lâ€"1).</text></subsection>

<subsection id="H59282C4A3D4D4D75915880466DF1F33E"><enum>(g)</enum><header>Definition</header><text>For purposes of this section, the term <term>full-time</term> means full-time as such term is used in section 455(m) (3) of the Higher Education Act of 1965.</text></subsection>

<subsection id="H54A71FAB53D34004A42CFAF01F937711" commented="no"><enum>(h)</enum><header>Authorization of appropriations</header><text>There is authorized to be appropriated to carry out this sectionâ€"</text>

<paragraph id="H346AD948DF524082B34A2846D7E827CF"><enum>(1)</enum><text>\$100,000,000 for fiscal year 2020; and</text></paragraph>

<paragraph id="H4CDBE1D6C29A4B77878D0BF413E32306"><enum>(2)</enum><text>\$75,000,000 for fiscal year 2021.</text></paragraph></subsection></section></subpart><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="H5C5E18E9649B4DDBAB67F8C305F788FE"><enum>30613.</enum><header>Expanding capacity for health outcomes</header>

<subsection id="HA708A168B24F45F080B504B496231B43"><enum>(a)</enum><header>In general</header><text>The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall award grants to eligible entities to develop and expand the use of technology-enabled collaborative learning and capacity building models to respond to ongoing and real-time learning, health care information sharing, and capacity building needs related to COVIDâ€"19.</text></subsection>

<subsection id="HA9CC66B31C7F4B2D960562EF7C0AB636"><enum>(b)</enum><header>Eligible entities</header><text>To be eligible to receive a grant under this section, an entity shall have experience providing technology-enabled collaborative learning and capacity building health care servicesâ€"</text>

<paragraph id="H02D49C6EC0344BF8BF5F821DBFF1D25E"><enum>(1)</enum><text>in rural areas, frontier areas, health professional shortage areas, or medically underserved area; or</text></paragraph>

<paragraph id="H0227F89D4ECE4648AC564011ED8ED332"><enum>(2)</enum><text>to medically underserved populations or Indian Tribes.</text></paragraph></subsection>

<subsection id="H701C0F6A1E6649BF8B88704A42A8ED14"><enum>(c)</enum><header>Use of funds</header><text display-inline="yes-display-inline">An eligible entity receiving a grant under this section shall use funds received through the grantâ€"</text>

<paragraph id="H7C968BC5AAE04B418CD0057AADFB8E2D"><enum>(1)</enum><text>to advance quality of care in response to COVIDâ€"19, with particular emphasis on rural and underserved areas and populations;</text></paragraph>

<paragraph id="H01696C9239EF469088AEE8737888D78A"><enum>(2)</enum><text display-inline="yes-display-inline">to protect medical personnel and first responders through sharing real-time learning through virtual communities of practice;</text></paragraph>

<paragraph id="H28190DCEECC443CD8D8F0250FDACAD88"><enum>(3)</enum><text display-inline="yes-display-inline">to improve patient outcomes for conditions affected or exacerbated by COVIDâ€"19, including improvement of care for patients with complex chronic conditions; and</text></paragraph>

<paragraph id="H1F026ECC307D44E7864876E33FE267FF"><enum>(4)</enum><text display-inline="yes-display-inline">to support rapid uptake by health care professionals of emerging best practices and treatment protocols around COVIDâ€"19.</text></paragraph></subsection>

<subsection id="HD8679FA9472C43E98C5D64A1A5392E62"><enum>(d)</enum><header>Optional additional uses of funds</header><text display-inline="yes-display-inline">An eligible entity receiving a grant under this section may use funds received through the grant forâ€"</text>

<paragraph id="H465237A43FE34BCE91975E7148BFAB57"><enum>(1)</enum><text>equipment to support the use and expansion of technology-enabled collaborative learning and capacity

building models, including hardware and software that enables distance learning, health care provider support, and the secure exchange of electronic health information;

(2) the participation of multidisciplinary expert team members to facilitate and lead technology-enabled collaborative learning sessions, and professionals and staff assisting in the development and execution of technology-enabled collaborative learning;

(3) the development of instructional programming and the training of health care providers and other professionals that provide or assist in the provision of services through technology-enabled collaborative learning and capacity building model; and

(4) other activities consistent with achieving the objectives of the grants awarded under this section.

(e) **Technology-enabled collaborative learning and capacity building model defined**
In this section, the term **technology-enabled collaborative learning and capacity building model** has the meaning given that term in section 2(7) of the Expanding Capacity for Health Outcomes Act (Public Law 114â€270; 130 Stat. 1395).

(f) **Authorization of appropriations**
There is authorized to be appropriated to carry out this section \$20,000,000, to remain available until expended.

30614. **Additional funding for Medical Reserve Corps**
Section 2813 of the Public Health Service Act (42 U.S.C. 300hhâ€15) is amended by striking **“\$11,200,000 for each of fiscal years 2019 through 2023”** and inserting **“\$31,200,000 for each of fiscal years 2020 and 2021 and \$11,200,000 for each of fiscal years 2022 and 2023”**.

30615. **Grants for schools of medicine in diverse and underserved areas**
Subpart II of part C of title VII of the Public Health Service Act is amended by inserting after section 749B of such Act (42 U.S.C. 293m) the following:

“(c) Schools of medicine in underserved areas
The Secretary, acting through the Administrator of the Health Resources and Services Administration, may award grants to institutions of higher education (including multiple institutions of higher education applying jointly) for the establishment, improvement, and expansion of an allopathic or osteopathic school of medicine, or a branch campus of an allopathic or osteopathic school of medicine.”

749C. **Schools of medicine in underserved areas**

(a) **Grants**
The Secretary, acting through the Administrator of the Health Resources and Services Administration, may award grants to institutions of higher education (including multiple institutions of higher education applying jointly) for the establishment, improvement, and expansion of an allopathic or osteopathic school of medicine, or a branch campus of an allopathic or osteopathic school of medicine.

(b) **Priority**
In selecting grant recipients under this section, the Secretary shall give priority to institutions of higher education that

(1) propose to use the grant for an allopathic or osteopathic school of medicine, or a branch campus of an allopathic or osteopathic school of medicine, in a combined statistical area with fewer than 200 actively

practicing physicians per 100,000 residents according to the medical board (or boards) of the State (or States) involved; </text></paragraph>

<paragraph id="H64598D792BA947C9960B2A63C5F94BD8" commented="no"><enum>(2)</enum><text>have a curriculum that emphasizes care for diverse and underserved populations; or</text></paragraph>

<paragraph id="H964FFC05726C49A6A01B9D7D154033FE" commented="no"><enum>(3)</enum><text display-inline="yes-display-inline">are minority-serving institutions described in the list in section 371(a) of the Higher Education Act of 1965.</text></paragraph></subsection>

<subsection id="HFD4D665105654B1CA40ABC1978DDF59C" commented="no"><enum>(c)</enum><header>Use of funds</header><text>The activities for which a grant under this section may be used includeâ€</text>

<paragraph id="HCF8BD27169A24A8086B1CE1BC27E67AC" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">planning and constructingâ€</text>

<subparagraph id="H455F6D0570084D52AADCDC48E3D78DC6"><enum>(A)</enum><text display-inline="yes-display-inline">a new allopathic or osteopathic school of medicine in an area in which no other school is based; or</text></subparagraph>

<subparagraph id="H2BD294FC590D4EB59BFD1F98F62AB835"><enum>(B)</enum><text>a branch campus of an allopathic or osteopathic school of medicine in an area in which no such school is based;</text></subparagraph></paragraph>

<paragraph id="HED2793A12FDA43D1A4782C46402A20F7" commented="no"><enum>(2)</enum><text display-inline="yes-display-inline">accreditation and planning activities for an allopathic or osteopathic school of medicine or branch campus;</text></paragraph>

<paragraph id="HD6E66E121C3B4603B4A7979CB6022C7F" commented="no"><enum>(3)</enum><text display-inline="yes-display-inline">hiring faculty and other staff to serve at an allopathic or osteopathic school of medicine or branch campus;</text></paragraph>

<paragraph id="HB89C328F42B2491EA85FD7A016029B5C" commented="no"><enum>(4)</enum><text display-inline="yes-display-inline">recruitment and enrollment of students at an allopathic or osteopathic school of medicine or branch campus;</text></paragraph>

<paragraph id="HAF7F287F7E6F4B29BD611034EF59D9DA" commented="no"><enum>(5)</enum><text display-inline="yes-display-inline">supporting educational programs at an allopathic or osteopathic school of medicine or branch campus; </text></paragraph>

<paragraph id="H769EC6E2672449D0BD0DD83248737177" commented="no"><enum>(6)</enum><text>modernizing infrastructure or curriculum at an existing allopathic or osteopathic school of medicine or branch campus thereof;</text></paragraph>

<paragraph id="H8F9113E416BB47EEB8707C20B54E0732" commented="no"><enum>(7)</enum><text>expanding infrastructure or curriculum at existing an allopathic or osteopathic school of medicine or branch campus; and</text></paragraph>

<paragraph id="HC88259ADD8374A888028151FABC92597" commented="no"><enum>(8)</enum><text display-inline="yes-display-inline">other activities that the Secretary determines further the development, improvement, and expansion of an allopathic or osteopathic school of medicine or branch campus thereof.</text></paragraph></subsection>

<subsection id="HD199D507454F42709A5E98372F077E63" commented="no"><enum>(d)</enum><header>Definitions</header><text>In this section:</text>

<paragraph id="H79AA8A7D92AD4591A83EA868147E9585" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">The term <term>branch campus</term> means a geographically separate site at least 100 miles from the main campus of a school of medicine where at least one student completes at least 60 percent of the studentâ€™s training leading to a degree of doctor of medicine.</text></paragraph>

<paragraph id="H8D0EDE81147A41AB93ACFCFD1078A546" commented="no"><enum>(2)</enum><text>The term <term>institution of higher education</term> has the meaning given to such term in section 101(a) of the Higher Education Act of 1965.</text></paragraph></subsection>

<subsection id="HF72750D8FFB64FFA8879B42CD5287C54" commented="no"><enum>(e)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">To carry out this section, there is authorized to be appropriated \$1,000,000,000, to remain available until expended.</text></subsection></section><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="H901AF9A3B025475AB3932D0BF6E94B90"><enum>30616.</enum><header>GAO study on public health workforce</header>

<subsection id="H98236E4E8E8C4771BDE218986C627A27"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Comptroller General of the United States shall conduct a study on the public health workforce in the United States during the COVID-19 pandemic.</text></subsection>

<subsection id="HA76FD535B6CC49F7B5C588E26894459C"><enum>(b)</enum><header>Topics</header><text>The study under subsection (a) shall address</text>

<paragraph id="H8F062EFE0DA64C45BAAF00E02DF64067"><enum>(1)</enum><text>existing gaps in the Federal, State, local, Tribal, and territorial public health workforce, including</text>

<subparagraph id="H621977149AA84472B71F4D24A5449823"><enum>(A)</enum><text>epidemiological and disease intervention specialists needed during the pandemic for contact tracing, laboratory technicians necessary for testing, community health workers for community supports and services, and other staff necessary for contact tracing, testing, or surveillance activities; and</text></subparagraph>

<subparagraph id="HA038F901B0C143FF8B854C2D669F742D"><enum>(B)</enum><text>other personnel needed during the COVID-19 pandemic;</text></subparagraph></paragraph>

<paragraph id="HC9BA61E1B64140E28B4440C2462C6108"><enum>(2)</enum><text>challenges associated with the hiring, recruitment, and retention of the Federal, State, local, Tribal, and territorial public health workforce; and</text></paragraph>

<paragraph id="HC0D9264E36BA4EC98AA1A75B8E65A4C6"><enum>(3)</enum><text>recommended steps the Federal Government should take to improve hiring, recruitment, and retention of the public health workforce.</text></paragraph></subsection>

<subsection id="H01B9CD3FB8C9492D8A4C2306FE56FA4B"><enum>(c)</enum><header>Report</header><text display-inline="yes-display-inline">Not later than December 1, 2021, the Comptroller General shall submit to the Congress a report on the findings of the study conducted under this section.</text></subsection></section>

<section id="HA32D08E405C440589FAE9FCDC50F2FFC"><enum>30617.</enum><header>Longitudinal study on the impact of COVID-19 on recovered patients</header><text display-inline="no-display-inline">Part A of title IV of the Public Health Service Act (42 U.S.C. 281 et seq.) is amended by adding at the end the following:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="HFBB3AD00ABDB49A0A0312C6204940188">

<section id="HC5D494DAAA824AE39A15159CB740D01F"><enum>4040.</enum><header>Longitudinal study on the impact of COVID-19 on recovered patients</header>

<subsection id="H3BD741695EBB4002AC547261D0B559A8"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Director of NIH, in consultation with the Director of the Centers for Disease Control and Prevention, shall conduct a longitudinal study, over not less than 10 years, on the full impact of SARS-CoV-2 or COVID-19 on infected individuals, including both short-term and long-term health impacts. </text></subsection>

<subsection id="H5530E5D61EC34EC4A4A6EDF9D5DED264"><enum>(b)</enum><header>Timing</header><text display-inline="yes-display-inline">The Director of NIH shall begin enrolling patients in the study under this section not later than 6 months after the date of enactment of this section. </text></subsection>

<subsection

id="H544457C9FDA44E6FA22A97A55C00ADD0"><enum>(c)</enum><header>Requirements</header><text>The study under this section shallâ€

<paragraph id="HA7E822C54E4043C68E7C474E6993970D"><enum>(1)</enum><text>be nationwide;</text></paragraph>

<paragraph id="HE80E656587E44A7FA38BADBA91B8C428"><enum>(2)</enum><text>include diversity of enrollees to account for gender, age, race, ethnicity, geography, comorbidities, and underrepresented populations, including pregnant and lactating women;</text></paragraph>

<paragraph id="H22777C1F672F439B8F1038EE599A6449"><enum>(3)</enum><text>study individuals with COVIDâ€19 who experienced mild symptoms, such individuals who experienced moderate symptoms, and such individuals who experienced severe symptoms;</text></paragraph>

<paragraph id="H7C7900D6BB994D2FA242DE428DF062EC"><enum>(4)</enum><text display-inline="yes-display-inline">monitor the health outcomes and symptoms of individuals with COVIDâ€19, or who had prenatal exposure to SARSâ€CoVâ€2 or COVIDâ€19, including lung capacity and function, and immune response, taking into account any pharmaceutical interventions such individuals may have received; </text></paragraph>

<paragraph id="H1BF9F2AF42F84A39A1A5D3A5313860DA"><enum>(5)</enum><text display-inline="yes-display-inline">monitor the mental health outcomes of individuals with COVIDâ€19, taking into account any interventions that affected mental health; and</text></paragraph>

<paragraph id="H8B6909AFC9CC4960B0933F898F95AD27"><enum>(6)</enum><text display-inline="yes-display-inline">monitor individuals enrolled in the study not less frequently than twice per year after the first year of the individual's infection with SARSâ€CoVâ€2.</text></paragraph></subsection>

<subsection id="HA68DA3CF2F4C4F88BDD7809FE3213339"><enum>(d)</enum><header>Public-private research network</header><text display-inline="yes-display-inline">For purposes of carrying out the study under this section, the Director of NIH may develop a network of public-private research partners, provided that all research, including the research carried out through any such partner, is available publicly.</text></subsection>

<subsection id="H33E32641FBEB46C9870008DFA9A04482"><enum>(e)</enum><header>Summaries of findings</header><text display-inline="yes-display-inline">The Director of NIH shall make public a summary of findings under this section not less frequently than once every 3 months for the first 2 years of the study, and not less frequently than every 6 months thereafter. Such summaries may include information about how the findings of the study under this section compare with findings from research conducted abroad.</text></subsection>

<subsection

id="H79C6AC3FD6A648BBA3581C51ED89560D"><enum>(f)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">There is authorized to be appropriated to carry out this section \$200,000,000, to remain available until expended.</text></subsection></section><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="H0468A7AD4C174011BD30D834C828F8FC" section-type="subsequent-section" commented="no"><enum>30618.</enum><header>Research on the mental health impact of COVIDâ€19</header>

<subsection id="HF28FE030AB694E7784BFCDDB60AD87F86" commented="no"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary, acting through the Director of the National Institute of Mental Health, shall conduct or support research on the mental health consequences of SARSâ€CoVâ€2 or COVIDâ€19.</text></subsection>

<subsection id="H1A3A5F47227A4DAEAACF2320D55770EE" commented="no"><enum>(b)</enum><header>Use of funds</header><text display-inline="yes-display-inline">Research under subsection (a) may include the following:</text>

<paragraph id="H2B6E2C0ADE954F26AECEA60C2F98FE2F" commented="no"><enum>(1)</enum><text>Research on the mental health impact of SARSâ€CoVâ€2 or COVIDâ€19 on health care providers, includingâ€

<subparagraph id="H4877FD8A9DEA4C3D905E5E226942DCD4"
commented="no"><enum>(A)</enum><text>traumatic stress;</text></subparagraph>

<subparagraph id="H1C23D6A3995140B0BE58E6A18E0C0AA9"
commented="no"><enum>(B)</enum><text>psychological distress; and</text></subparagraph>

<subparagraph id="HE89CA93126D94DEAB30E61540D900C45"
commented="no"><enum>(C)</enum><text>psychiatric
disorders.</text></subparagraph></paragraph>

<paragraph id="HB2730C8B7E0E40B9926AC42F19741EEA"
commented="no"><enum>(2)</enum><text>Research on the impact of SARSâ€"CoVâ€"2 or
COVIDâ€"19 stressors on mental health over time.</text></paragraph>

<paragraph id="H24E8D68197C3497698D6086BE840FC04"
commented="no"><enum>(3)</enum><text>Research to strengthen the mental health response
to SARSâ€"CoVâ€"2 or COVIDâ€"19, including adapting to and maintaining or providing
additional services for new or increasing mental health needs.</text></paragraph>

<paragraph id="H5E982879DEB44AE19B6CBCB5E67D0304"
commented="no"><enum>(4)</enum><text>Research on the reach, efficiency, effectiveness,
and quality of digital mental health interventions.</text></paragraph>

<paragraph id="H61BAC8D259DC4384964F5D445085532F"
commented="no"><enum>(5)</enum><text>Research on effectiveness of strategies for
implementation and delivery of evidence-based mental health interventions and services
for underserved populations.</text></paragraph>

<paragraph id="H49E40180EEA64350A013757C65C5F55B"
commented="no"><enum>(6)</enum><text>Research on suicide
prevention.</text></paragraph></subsection>

<subsection id="HE814DC717363442B876C13D318A87DB5"
commented="no"><enum>(c)</enum><header>Research coordination</header><text>The
Secretary shall coordinate activities under this section with similar activities
conducted by national research institutes and centers of the National Institutes of
Health to the extent that such institutes and centers have responsibilities that are
related to the mental health consequences of SARSâ€"CoVâ€"2 or
COVIDâ€"19.</text></subsection>

<subsection id="H44DB89484DBE496D9951AAD609403D72"
commented="no"><enum>(d)</enum><header>Authorization of appropriations</header><text>To
carry out this section, there is authorized to be appropriated \$200,000,000, to remain
available until expended.</text></subsection></section>

<section id="HC37B8FD4742A4EDCB0CD1A0234FEE105"><enum>30619.</enum><header>Emergency
mental health and substance use training and technical assistance center</header><text
display-inline="no-display-inline">Subpart 3 of part B of title V of the Public Health
Service Act (42 U.S.C. 290bbâ€"31 et seq.) is amended by inserting after section 520A
(42 U.S.C. 290bbâ€"32) the following:</text>

<quoted-block id="HE222DDCC444B405E9DF6CA164390B155" style="OLC">

<section id="HC6E2A6BFDCB845A996DA63F61985C5D2"><enum>520B.</enum><header>Emergency
mental health and substance use training and technical assistance center</header>

<subsection
id="H2FD4386E130F4FD7A272A9618EDCB689"><enum>(a)</enum><header>Establishment</header><t
ext display-inline="yes-display-inline">The Secretary, acting through the Assistant
Secretary, shall establish or operate a center to be known as the Emergency Mental
Health and Substance Use Training and Technical Assistance Center (referred to in this
section as the <quote>Center</quote>) to provide technical assistance and
supportâ€"</text>

<paragraph id="H1D9BA90C27804C44817BA9BDF44550FE"><enum>(1)</enum><text display-
inline="yes-display-inline">to public or nonprofit entities seeking to establish or
expand access to mental health and substance use prevention, treatment, and recovery
support services, and increase awareness of such services; and</text></paragraph>

<paragraph id="H1154C1A058ED44ABA14F3C7B8859B1E3"><enum>(2)</enum><text>to public
health professionals, health care professionals and support staff, essential workers

(as defined by a State, Tribe, locality, or territory), and members of the public to address the trauma, stress, and mental health needs associated with an emergency period.

Assistance and support
The assistance and support provided under subsection (a) shall include assistance and support with respect to

(1) training on identifying signs of trauma, stress, and mental health needs;

(2) providing accessible resources to assist individuals and families experiencing trauma, stress, or other mental health needs during and after an emergency period;

(3) providing resources for substance use disorder prevention, treatment, and recovery designed to assist individuals and families during and after an emergency period;

(4) the provision of language access services, including translation services, interpretation, or other such services for individuals with limited English speaking proficiency or people with disabilities; and

(5) evaluation and improvement, as necessary, of the effectiveness of such services provided by public or nonprofit entities.

Best practices
The Center shall periodically issue best practices for use by organizations seeking to provide mental health services or substance use disorder prevention, treatment, or recovery services to individuals during and after an emergency period.

Emergency period
In this section, the term **emergency period** has the meaning given such term in section 1135(g)(1)(A) of the Social Security Act.

Authorization of appropriations
There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2020 and 2021.

Importance of the blood and plasma supply

In general
Section 3226 of the CARES Act (Public Law 116-136) is amended

(1) in the section heading after **blood** by inserting **and plasma**; and

(2) by inserting after **blood** each time it appears **and plasma**.

Conforming amendment
The item relating to section 3226 in the table of contents in section 2 of the CARES Act (Public Law 116-136) is amended to read as follows:

<toc-entry level="section">Sec. 3226. Importance of the blood and plasma supply.</toc-entry></toc><after-quoted-block>.</after-quoted-block></quoted-block></subsection></section></subtitle>

<subtitle id="H5294B205D323427AA29D577EF3AA23CE"><enum>B</enum><header>Assistance for Individuals and Families</header>

<section id="H8C94889B217D4256BC555D2A0E332D59" section-type="subsequent-section"><enum>30631.</enum><header>Reimbursement for additional health services relating to coronavirus</header><text display-inline="no-display-inline">Title V of division A of the Families First Coronavirus Response Act (Public Law 116â€"127) is amended under the heading <quote>Department of Health and Human Servicesâ€"Office of the Secretaryâ€"Public Health and Social Services Emergency Fund</quote> by inserting <quote>, or treatment related to SARSâ€"CoVâ€"2 or COVIDâ€"19 for uninsured individuals</quote> after <quote>or visits described in paragraph (2) of such section for uninsured individuals</quote>.</text></section>

<section id="HAD70750466B941F098E093A174128F6D" section-type="subsequent-section"><enum>30632.</enum><header>Centers for Disease Control and Prevention COVIDâ€"19 response line</header>

<subsection id="HA84C518CB95240008D25CBCF223F9E70"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">During the public health emergency declared by the Secretary pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) on January 31, 2020 with respect to COVIDâ€"19, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, shall maintain a toll-free telephone number to address public health queries, including questions concerning COVIDâ€"19.</text></subsection>

<subsection id="H083418FE06EB4720AB0E2D11D2D9DA92"><enum>(b)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">To carry out this section, there is authorized to be appropriated \$10,000,000, to remain available until expended.</text></subsection></section>

<section id="H708D72E4E7A4475CA1A50B8681578AB5" commented="no"><enum>30633.</enum><header>Grants to address substance use during COVIDâ€"19</header>

<subsection id="H1B914822F83E41F5A14AD2C347C0C5FC" commented="no"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Assistant Secretary for Mental Health and Substance Use of the Department of Health and Human Services (in this section referred to as the <quote>Assistant Secretary</quote>), in consultation with the Director of the Centers for Disease Control and Prevention, shall award grants to States, political subdivisions of States, Tribes, Tribal organizations, and community-based entities to address the harms of drug misuse, including byâ€"</text>

<paragraph id="H0E40D48A61D044158F32E8F5FFCFB359" commented="no"><enum>(1)</enum><text display-inline="yes-display-inline">preventing and controlling the spread of infectious diseases, such as HIV/AIDS and viral hepatitis, and the consequences of such diseases for individuals with substance use disorder;</text></paragraph>

<paragraph id="HE0056D5427C54D9F807BE270CBD9AE1A" commented="no"><enum>(2)</enum><text>connecting individuals at risk for or with a substance use disorder to overdose education, counseling, and health education; or</text></paragraph>

<paragraph id="H3D45CEC9CF9347249CE07425C274C828" commented="no"><enum>(3)</enum><text>encouraging such individuals to take steps to reduce the negative personal and public health impacts of substance use or misuse during the emergency period.</text></paragraph></subsection>

<subsection id="HF9B048C61D7347538573AAF275F25B9A" commented="no"><enum>(b)</enum><header>Considerations</header><text display-inline="yes-display-inline">In awarding grants under this section, the Assistant Secretary shall prioritize grants to applicants proposing to serve areas withâ€"</text>

<paragraph id="HC0BA8F64E3ED40599DE1CABAFDDD708D"><enum>(1)</enum><text>a high proportion of people who meet criteria for dependence on or abuse of illicit drugs who

have not received any treatment;</text></paragraph>

<paragraph id="H1DBF3AF5ADE54E3F98E27AD8410485AC"><enum>(2)</enum><text>high drug overdose death rates;</text></paragraph>

<paragraph id="H0F03B490AB7F4F96B2933641E934CBDD"><enum>(3)</enum><text>high telemedicine infrastructure needs; and</text></paragraph>

<paragraph id="HE36C1F1FDC284B689386F9432EFAD78C"><enum>(4)</enum><text display-inline="yes-display-inline">high behavioral health and substance use disorder workforce needs.</text></paragraph></subsection>

<subsection id="H46BB1B72E84746D7999D4A2F9942E72E"><enum>(c)</enum><header>Definition</header><text display-inline="yes-display-inline">In this section, the term <term>emergency period</term> has the meaning given to such term in section 1135(g)(1)(B) of the Social Security Act (42 U.S.C. 1320bâ€"5(g)(1)(B))).</text></subsection>

<subsection id="H283881591FA7499989F9001AA75F3297"><commented="no"><enum>(d)</enum><header>Authorization of appropriations</header><text display-inline="yes-display-inline">To carry out this section, there is authorized to be appropriated \$10,000,000, to remain available until expended.</text></subsection></section>

<section id="HB301B05B570240618FEBD382972F03E9"><commented="no"><enum>30634.</enum><header>Grants to support increased behavioral health needs due to COVIDâ€"19</header>

<subsection id="HF6FC17C2259548E6A1F0C409E5A5A422"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary, acting through the Assistant Secretary of Mental Health and Substance Use, shall award grants to States, political subdivisions of States, Indian Tribes and Tribal organizations, community-based entities, and primary care and behavioral health organizations to address behavioral health needs caused by the public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) with respect to COVIDâ€"19.</text></subsection>

<subsection id="H5FAFB09FB66E4056BA703724F925D135"><enum>(b)</enum><header>Use of funds</header><text>An entity that receives a grant under subsection (a) may use funds received through such grant toâ€"</text>

<paragraph id="H763145556249491889714DCBFEE15BD2"><enum>(1)</enum><text>increase behavioral health treatment and prevention capacity, including toâ€"</text>

<subparagraph id="H4483AEAA190D45AA8671BEAF0C465942"><enum>(A)</enum><text>promote coordination among local entities;</text></subparagraph>

<subparagraph id="H8EFC9A4D3188451392AFED92F7A3C746"><enum>(B)</enum><text>train the behavioral health workforce, relevant stakeholders, and community members;</text></subparagraph>

<subparagraph id="H30FF75F8B245468CBD8A1DED859CEF31"><enum>(C)</enum><text>upgrade technology to support effective delivery of health care services through telehealth modalities;</text></subparagraph>

<subparagraph id="HEDA812220610474E95F087B4476D322C"><enum>(D)</enum><text>purchase medical supplies and equipment for behavioral health treatment entities and providers;</text></subparagraph>

<subparagraph id="HCBC4D728A47B42B6B926022CC706EF97"><enum>(E)</enum><text display-inline="yes-display-inline">address surge capacity for behavioral health needs such as through mobile units; and</text></subparagraph>

<subparagraph id="H822D1522CD024D0E91738F84DBB95478"><enum>(F)</enum><text>promote collaboration between primary care and mental health providers; and</text></subparagraph></paragraph>

<paragraph id="HB908E68040B34DF3A1BEA374D0AAAB14"><enum>(2)</enum><text>support or enhance behavioral health services, includingâ€"</text>

<subparagraph id="H7F7D73479B214AD6AE9160D9EA0747A6"><enum>(A)</enum><text>emergency crisis intervention, including mobile crisis units, 24/7 crisis call centers, and

medically staffed crisis stabilization programs;</text></subparagraph>

<subparagraph id="H2A2B2EA99061433BA93D516BD173060F"><enum>(B)</enum><text>screening, assessment, diagnosis, and treatment;</text></subparagraph>

<subparagraph id="HC00F17CCBDCC4301A5706A77F889F8B9"><enum>(C)</enum><text>mental health awareness trainings;</text></subparagraph>

<subparagraph id="H5D0BE01DB3CE4198BEC3166C87FC46B3"><enum>(D)</enum><text>evidence-based suicide prevention;</text></subparagraph>

<subparagraph id="HFB54D77100A54032B8F631BA51F728A1"><enum>(E)</enum><text>evidence-based integrated care models;</text></subparagraph>

<subparagraph id="H2CF2ED5925FC401EA518B87A410F4C5D"><enum>(F)</enum><text>community recovery supports; </text></subparagraph>

<subparagraph id="H5385461634144D27B7D8F5F8B0EBEACD"><enum>(G)</enum><text>outreach to underserved and minority communities; and</text></subparagraph>

<subparagraph id="HE49A9E37424045838FFB09D8FA5DD7E1"><enum>(H)</enum><text display-inline="yes-display-inline">for front line health care workers.</text></subparagraph></paragraph></subsection>

<subsection id="HE871A656F4454870A45BC4F9A5372919"><enum>(c)</enum><header>Priority</header><text display-inline="yes-display-inline">The Secretary shall give priority to applicants proposing to serve areas with a high number of COVIDâ€"19 cases.</text></subsection>

<subsection id="H08722A50766D453995DBAD4D880B28E3"><enum>(d)</enum><header>Evaluation</header><text>An entity that receives a grant under this section shall prepare and submit an evaluation to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, includingâ€"</text>

<paragraph id="H10587F21B3924816BC51E36FAF5D421D"><enum>(1)</enum><text>an evaluation of activities carried out with funds received through the grant; and</text></paragraph>

<paragraph id="H6AED962FC4BE4B9097118A63C6C7F2FC"><enum>(2)</enum><text>a process and outcome evaluation.</text></paragraph></subsection>

<subsection id="H6825A2031B8A44889CE0389932E15F64"><enum>(e)</enum><header>Authorization of appropriations</header><text>To carry out this section, there is authorized to be appropriated \$50,000,000 for each of fiscal years 2020 and 2021, to remain available until expended.</text></subsection></section></subtitle>

<subtitle id="H72E2E11533BF4CF19E09E0DCDAE150D8"><enum>C</enum><header>Assistance to Tribes</header>

<section id="HE1CB5F66746348D688EC2E9819E81546"><enum>30641.</enum><header>Improving State, local, and Tribal public health security</header><text display-inline="no-display-inline">Section 319Câ€"1 of the Public Health Service Act (42 U.S.C. 247dâ€"3a) is amendedâ€"</text>

<paragraph id="H14D046C44C7A4F8B81C207EE8EEABFB5"><enum>(1)</enum><text>in the section heading, by striking <quote><header-in-text style="OLC" level="section">and local</header-in-text></quote> and inserting <quote><header-in-text style="OLC" level="section">, local, and Tribal</header-in-text></quote>;</text></paragraph>

<paragraph id="HC8836D9F0ABD414CBDFCC04D7EA491CD"><enum>(2)</enum><text>in subsection (b) â€"</text>

<subparagraph id="H882E56853CE644A9955567775BCE0452"><enum>(A)</enum><text>in paragraph (1) â€"</text>

<clause id="H03069590FE9F451B9971D49000F957F0"><enum>(i)</enum><text>in subparagraph (B), by striking <quote>or</quote> at the end;</text></clause>

<clause id="H654022D3260A4B458BF18B5ED37FE41C"><enum>(ii)</enum><text>in subparagraph (C), by striking <quote>and</quote> at the end and inserting <quote>or</quote>; and</text></clause>

<clause id="HA44C40E353D4430BA7116CA1CF1E8DF3"><enum>(iii)</enum><text>by adding at the end the following:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="HDB3C558E4E824271B3EE910AAD6A7185">

<subparagraph id="HA27C8C68CFC144EE873ED1D717066448"><enum>(D)</enum><text>be an Indian Tribe, Tribal organization, or a consortium of Indian Tribes or Tribal organizations; and</text></subparagraph><after-quoted-block>; and</after-quoted-block></quoted-block></clause></subparagraph>

<subparagraph id="HCF8F9BF905E441A99DF84C7929491DDD"><enum>(B)</enum><text>in paragraph (2)â€" </text>

<clause id="H82D34FE8DBC845368319A9F41B08DCA8"><enum>(i)</enum><text>in the matter preceding subparagraph (A), by inserting <quote>, as applicable</quote> after <quote>including</quote>;</text></clause>

<clause id="HE263B33C0FBD4796BD35687E71F8BD0C"><enum>(ii)</enum><text>in subparagraph (A) (viii)â€" </text>

<subclause id="H2F140B2B9F944E9FA4CBEF68A5E32FA0"><enum>(I)</enum><text>by inserting <quote>and Tribal</quote> after <quote>with State</quote>;</text></subclause>

<subclause id="HF15398639DDD4EF28515B8A2DEEA642E"><enum>(II)</enum><text>by striking <quote>(as defined in section 8101 of the Elementary and Secondary Education Act of 1965)</quote> and inserting <quote>and Tribal educational agencies (as defined in sections 8101 and 6132, respectively, of the Elementary and Secondary Education Act of 1965)</quote>; and</text></subclause>

<subclause id="H93194CDC9B544645AAB34D8E7EC2A6FB"><enum>(III)</enum><text>by inserting <quote>and Tribal</quote> after <quote>and State</quote>;</text></subclause></clause>

<clause id="H63ADA598989C428CB645253C6E9D8EEA"><enum>(iii)</enum><text>in subparagraph (G), by striking <quote>and tribal</quote> and inserting <quote>Tribal, and urban Indian organization</quote>; and</text></clause>

<clause id="H690138684BD04044B61473E56390635F"><enum>(iv)</enum><text>in subparagraph (H), by inserting <quote>, Indian Tribes, and urban Indian organizations</quote> after <quote>public health</quote>; </text></clause></subparagraph></paragraph>

<paragraph id="H3214FC47D7BC4875988C1EC2226001F1"><enum>(3)</enum><text>in subsection (e), by inserting <quote>Indian Tribes, Tribal organizations, urban Indian organizations,</quote> after <quote>local emergency plans,</quote>;</text></paragraph>

<paragraph id="H47A276F81C28429493A35E5281B6BFFF"><enum>(4)</enum><text>in subsection (g) (1), by striking <quote>tribal officials</quote> and inserting <quote>Tribal officials</quote>; </text></paragraph>

<paragraph id="H7405B7044A8447A2BC1BA869FC806E0C"><enum>(5)</enum><text>in subsection (h)â€" </text>

<subparagraph id="H39FD6E67FE1949D1B7578DA171FF06F0"><enum>(A)</enum><text>in paragraph (1) (A)â€" </text>

<clause id="H86768901F70647E5A3630961A229208F"><enum>(i)</enum><text>by striking <quote>through 2023</quote> and inserting <quote>and 2020</quote>; and</text></clause>

<clause id="HB9194B2642E94374BF289C8F7D571C4D"><enum>(ii)</enum><text>by inserting before the period <quote>; and \$690,000,000 for each of fiscal years 2021 through 2023 for awards pursuant to paragraph (3) (subject to the authority of the Secretary to make awards pursuant to paragraphs (4) and (5)) and paragraph (8), of which not less than \$5,000,000 shall be reserved each fiscal year for awards under paragraph (8)</quote>;</text></clause></subparagraph>

<subparagraph id="H0AC8E1B2B08F4D2582C869547D03AC55"><enum>(B)</enum><text>in subsection (h) (2) (B), by striking <quote>tribal public</quote> and inserting <quote>Tribal public</quote>; </text></subparagraph>

<subparagraph id="HBC5F0DE43EA24C27A7691AD5DDE7F79B"><enum>(C)</enum><text>in the heading of paragraph (3), by inserting <quote><header-in-text style="OLC" level="paragraph">for States</header-in-text></quote> after <quote><header-in-text

style="OLC" level="paragraph">amount</header-in-text></quote>;
and</text></subparagraph>

<subparagraph id="H894719806CA94DA1883581287E32719F"><enum>(D)</enum><text>by adding at the end the following:</text>

<quoted-block style="OLC" display-inline="no-display-inline"
id="H331BC30EE3794569A30F82DD9E3A3A2D">

<paragraph id="HADE48F0C2E30405894F9BB817D6BDDAC"><enum>(8)</enum><header>Tribal eligible entities</header>

<subparagraph id="H34A351E27F694669A03F27CB595B9D70"><enum>(A)</enum><header>Determination of funding amount</header>

<clause id="HAE8901E5EFB74D0AB6F6DA5B1CDEFCE2"><enum>(i)</enum><header>In general</header><text>The Secretary shall award at least 10 cooperative agreements under this section, in amounts not less than the minimum amount determined under clause (ii), to eligible entities described in subsection (b)(1)(D) that submits to the Secretary an application that meets the criteria of the Secretary for the receipt of such an award and that meets other reasonable implementation conditions established by the Secretary, in consultation with Indian Tribes, for such awards. If the Secretary receives more than 10 applications under this section from eligible entities described in subsection (b)(1)(D) that meet the criteria and conditions described in the previous sentence, the Secretary, in consultation with Indian Tribes, may make additional awards under this section to such entities.</text></clause>

<clause id="HB937EB5E41844816A876A8A22B27C9E0"
commented="no"><enum>(ii)</enum><header>Minimum amount</header><text>In determining the minimum amount of an award pursuant to clause (i), the Secretary, in consultation with Indian Tribes, shall first determine an amount the Secretary considers appropriate for the eligible entity.</text></clause></subparagraph>

<subparagraph id="H62B96A27928F45D0B8555B85AD74A582"><enum>(B)</enum><header>Available until expended</header><text>Amounts provided to a Tribal eligible entity under a cooperative agreement under this section for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity during the entirety of the performance period, for the purposes for which said funds were provided.
</text></subparagraph>

<subparagraph id="H95E29F7170A04ABD9D0A055C4F52A433"><enum>(C)</enum><header>No matching requirement</header><text>Subparagraphs (B), (C), and (D) of paragraph (1) shall not apply with respect to cooperative agreements awarded under this section to eligible entities described in subsection (b)(1)(D).</text></subparagraph></paragraph><after-quoted-block>; and</after-quoted-block></quoted-block></subparagraph></paragraph>

<paragraph id="H84E68A8E37894D9FB2CC5EEF1AF3CACC"><enum>(6)</enum><text>by adding at the end the following:</text>

<quoted-block style="OLC" display-inline="no-display-inline"
id="H56B441492C0E46B5BC5D3AB2842E8AF0">

<subsection id="H67B039EEF66F4BC4AC7C51C29014500A"><enum>(1)</enum><header>Special rules related to Tribal eligible entities</header>

<paragraph id="HDA831818B5F44B3BA0BD1ECFCE1E790D"><enum>(1)</enum><header>Modifications</header><text>After consultation with Indian Tribes, the Secretary may make necessary and appropriate modifications to the program under this section to facilitate the use of the cooperative agreement program by eligible entities described in subsection (b)(1)(D). </text></paragraph>

<paragraph id="H2238F298D91D4A65A701FDFDC79905E1"><enum>(2)</enum><header>Waivers</header>

<subparagraph id="H44D0BC3DA3DF48ED8D64CDE3C6DD3FFF"><enum>(A)</enum><header>In general</header><text>Except as provided in subparagraph (B), the Secretary may waive or specify alternative requirements for any provision of this section (including regulations) that the Secretary administers in connection with this section if the

Secretary finds that the waiver or alternative requirement is necessary for the effective delivery and administration of this program with respect to eligible entities described in subsection (b) (1) (D). </text></subparagraph>

<subparagraph id="HF1E7A2344D7547C2A0A9FBE6AA219A61"><enum>(B)</enum><header>Exception</header><text>The Secretary may not waive or specify alternative requirements under subparagraph (A) relating to labor standards or the environment. </text></subparagraph></paragraph>

<paragraph id="H9BAA790760204AACA284595A6EE40575"><enum>(3)</enum><header>Consultation</header><text>The Secretary shall consult with Indian Tribes and Tribal organizations on the design of this program with respect to such Tribes and organizations to ensure the effectiveness of the program in enhancing the security of Indian Tribes with respect to public health emergencies.</text></paragraph>

<paragraph id="H03628CB58CFF4BD4A771E9DE12EA7136"><enum>(4)</enum><header>Reporting</header>

<subparagraph id="HB2CFFF9FE8EA404DAE66135C1A470679"><enum>(A)</enum><header>In general</header><text>Not later than 2 years after the date of enactment of this subsection, and as an addendum to the biennial evaluations required under subsection (k), the Secretary, in coordination with the Director of the Indian Health Service, shallâ€" </text>

<clause id="H659538B4AF0C4DE19A249DA71BCFCD37"><enum>(i)</enum><text>conduct a review of the implementation of this section with respect to eligible entities described in subsection (b) (1) (D), including any factors that may have limited its success; and </text></clause>

<clause id="H7CA477DE4BAB4DAD9AA252BCDAAD2AEE"><enum>(ii)</enum><text>submit a report describing the results of the review described in clause (i) toâ€" </text>

<subclause id="H55B36A9999A0472AB6DB87E85E1C1DE5"><enum>(I)</enum><text>the Committee on Indian Affairs, the Committee on Health, Education, Labor and Pensions, and the Committee on Appropriations of the Senate; and</text></subclause>

<subclause id="H3CF67ACF8C08456F9E435C95EC272149"><enum>(II)</enum><text>the Subcommittee for Indigenous Peoples of the United States of the Committee on Natural Resources, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives. </text></subclause></clause></subparagraph>

<subparagraph id="HCD42BA2D0B18461FBA49ABB44C0C5022"><enum>(B)</enum><header>Analysis of Tribal public health emergency infrastructure limitation</header><text>The Secretary shall include in the initial report submitted under subparagraph (A) a description of any public health emergency infrastructure limitation encountered by eligible entities described in subsection

(b) (1) (D).</text></subparagraph></paragraph></subsection><after-quoted-block>.</after-quoted-block></quoted-block></paragraph></section>

<section id="H4D4FC00B7D3D4F50AEDE4263F20E2363"><enum>30642.</enum><header>Provision of items to Indian programs and facilities</header>

<subsection id="H62E0108DDACE45A4BA883164A579B2E0"><enum>(a)</enum><header>Strategic National Stockpile</header><text>Section 319Fâ€"2(a) (3) (G) of the Public Health Service Act (42 U.S.C. 247dâ€"6b(a) (3) (G)) is amended by inserting <quote>, and, in the case that the Secretary deploys the stockpile under this subparagraph, ensure, in coordination with the applicable States and programs and facilities, that appropriate drugs, vaccines and other biological products, medical devices, and other supplies are deployed by the Secretary directly to health programs or facilities operated by the Indian Health Service, an Indian Tribe, a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or an inter-Tribal consortium (as defined in section 501 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5381)) or through an urban Indian organization (as defined in section 4 of the Indian Health Care Improvement Act), while avoiding duplicative distributions to such programs or facilities</quote> before the semicolon.</text></subsection>

<subsection id="HB33BA0ECD1F54FCC947A0DEF35BCD883"><enum>(b)</enum><header>Distribution of qualified pandemic or epidemic products to IHS facilities</header><text>Title III of

the Public Health Service Act (42 U.S.C. 241 et seq.) is amended by inserting after section 319Fâ€"4 the following:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="H7CAB6F3392784C2A872049D2CE939078">

<section

id="H59CEED8E6D334821A892A6AC12EF7B58"><enum>319Fâ€"5.</enum><header>Distribution of qualified pandemic or epidemic products to Indian programs and facilities</header><text display-inline="no-display-inline">In the case that the Secretary distributes qualified pandemic or epidemic products (as defined in section 319Fâ€"3(i)(7)) to States or other entities, the Secretary shall ensure, in coordination with the applicable States and programs and facilities, that, as appropriate, such products are distributed directly to health programs or facilities operated by the Indian Health Service, an Indian Tribe, a Tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or an inter-Tribal consortium (as defined in section 501 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5381)) or through an urban Indian organization (as defined in section 4 of the Indian Health Care Improvement Act), while avoiding duplicative distributions to such programs or facilities.</text></section><after-quoted-block></after-quoted-block></quoted-block></subsection></section>

<section id="HD42CB1B2B7674B90B92B5D1931805D0D"><enum>30643.</enum><header>Health care access for urban native veterans</header><text display-inline="no-display-inline">Section 405 of the Indian Health Care Improvement Act (25 U.S.C. 1645) is amendedâ€" </text>

<paragraph id="HD49567D8785B409886CCA3ADBA703A71"><enum>(1)</enum><text>in subsection (a)(1), by inserting <quote>urban Indian organizations,</quote> before <quote>and tribal organizations</quote>; and</text></paragraph>

<paragraph id="H5478FC934BEF44B297F9941A4E701BE4"><enum>(2)</enum><text>in subsection (c)â€" </text>

<subparagraph id="H6F41C4AB39BE4B7C8E8B5C7A0E810DC4"><enum>(A)</enum><text>by inserting <quote>urban Indian organization,</quote> before <quote>or tribal organization</quote>; and</text></subparagraph>

<subparagraph id="HBB462284FAB24231B4950715A67DA44C"><enum>(B)</enum><text>by inserting <quote>an urban Indian organization,</quote> before <quote>or a tribal organization</quote>.</text></subparagraph></paragraph></section>

<section id="H38A961641F6149A28571BFEE967A11D39" section-type="subsequent-section"><enum>30644.</enum><header>Proper and reimbursed care for native veterans</header><text display-inline="no-display-inline">Section 405(c) of the Indian Health Care Improvement Act (25 U.S.C. 1645(c)) is amended by inserting before the period at the end the following: <quote>, regardless of whether such services are provided directly by the Service, an Indian tribe, or tribal organization, through contract health services, or through a contract for travel described in section 213(b)</quote>.</text></section>

<section id="H366D51E40DBA40EE890EE99EEEC23B8B5"><enum>30645.</enum><header>Amendment to the Indian Health Care Improvement Act</header><text display-inline="no-display-inline">Section 409 of the Indian Health Care Improvement Act (25 U.S.C. 1647b) is amended by inserting <quote>or the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2501 et seq.)</quote> after <quote>(25 U.S.C. 450 et seq.)</quote>.<pagebreak/></text></section></subtitle></title></division>

<division id="H8288223BC68D4195AD7ECE5395AC97E3" style="OLC" section-style="olc-section-style"><enum>D</enum><header>Retirement Provisions</header>

<section id="HE388F9FD4CB34A8086CC1D51DCFCEAE0"><enum>40001.</enum><header>Short title</header><text display-inline="no-display-inline">This division may be cited as the <quote>Emergency Pension Plan Relief Act of 2020</quote>.</text></section>

<title style="OLC" id="H2BDE1EF759EE4FECB068B097810DC14B"><enum>I</enum><header>Relief for Multiemployer Pension Plans</header>

<section id="HCF7C5662DA7C4EBF88426F3C385296EE"><enum>40101.</enum><header>Special partition relief</header>

<subsection id="H5D0EBFDE6B664CCAA1300FEBEB68DA7B"><enum>(a)</enum><header>Appropriation</header><text>Section 4005 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1305) is amended by adding at the end the following:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="H99E9B533841F4ABE8187B929DECB886C">

<subsection id="H7D7BCACA0DE34A79A205089D66CC0F85"><enum>(i)</enum>

<paragraph commented="no" display-inline="yes-display-inline" id="H058C2B1E20014F3B977E4BFBEA24C092"><enum>(1)</enum><text>An eighth fund shall be established for partition assistance to multiemployer pension plans, as provided under section 4233A, and to pay for necessary administrative and operating expenses relating to such assistance.</text></paragraph>

<paragraph indent="up1" id="H7DE50E50154343958E9E57ADE89FAB5C"><enum>(2)</enum><text>There is appropriated from the general fund such amounts as necessary for the costs of providing partition assistance under section 4233A and necessary administrative and operating expenses. The eighth fund established under this subsection shall be credited with such amounts from time to time as the Secretary of the Treasury determines appropriate, from the general fund of the Treasury, and such amounts shall remain available until expended.</text></paragraph></subsection><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="HB8C4177D5D4B4578BC71C7189F9134A7"><enum>(b)</enum><header>Special partition authority</header><text>The Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) is amended by inserting after section 4233 the following:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="H8C1018B69A994E4E96FDDDF269F86E25C">

<section id="H4288B681D9604F83BDA28CCB7CE988CB"><enum>4233A.</enum><header>Special partition relief</header>

<subsection id="HB9F1B4780715490FADC12999B050DEC6"><enum>(a)</enum><header>Special partition authority</header>

<paragraph id="HDDE21A5DC9D64D3CB0E76B5C343C6E05"><enum>(1)</enum><header>In general</header><text>Upon the application of a plan sponsor of an eligible multiemployer plan for partition of the plan under this section, the corporation shall order a partition of the plan in accordance with this section.</text></paragraph>

<paragraph id="HEB0D06805A6D483F8E2E4465D16293D2"><enum>(2)</enum><header>Inapplicability of certain repayment obligation</header><text>A plan receiving partition assistance pursuant to this section shall not be subject to repayment obligations under section 4261(b) (2).</text></paragraph></subsection>

<subsection id="H73A9B787A11E47569759983EE3874D26"><enum>(b)</enum><header>Eligible plans</header>

<paragraph id="H078D09EFBE5449069F28624113361B0B"><enum>(1)</enum><header>In general</header><text>For purposes of this section, a multiemployer plan is an eligible multiemployer plan ifâ€" </text>

<subparagraph id="HC873CFC97DAC4B16BB831A99E784B5AA"><enum>(A)</enum><text>the plan is in critical and declining status (within the meaning of section 305(b) (6)) in any plan year beginning in 2020 through 2024; </text></subparagraph>

<subparagraph id="H95E76F0657174051A35F505E924B8D8C"><enum>(B)</enum><text>a suspension of benefits has been approved with respect to the plan under section 305(e) (9) as of the date of the enactment of this section; </text></subparagraph>

<subparagraph id="H086E3A49EAA048CF98149FED14140A12"><enum>(C)</enum><text>in any plan year beginning in 2020 through 2024, the plan is certified by the plan actuary to be in critical status (within the meaning of section 305(b) (2)), has a modified funded percentage of less than 40 percent, and has a ratio of active to inactive participants which is less than 2 to 3; or</text></subparagraph>

<subparagraph id="H0FCC3C1171884CBA8BE6F7DE240824E4" commented="no" display-inline="no-display-inline"><enum>(D)</enum><text>the plan is insolvent for purposes of section 418E of the Internal Revenue Code of 1986 as of the date of enactment of this section, if the plan became insolvent after December 16, 2014, and has not been terminated by such date of enactment. </text></subparagraph></paragraph>

<paragraph display-inline="no-display-inline" commented="no" id="HA4162505ADBC4182A732F87F1C3F2EF0"><enum>(2)</enum><header>Modified funded percentage</header><text>For purposes of paragraph (1) (C), the term <term>modified funded percentage</term> means the percentage equal to a fraction the numerator of which is current value of plan assets (as defined in section 3(26) of such Act) and the denominator of which is current liabilities (as defined in section 431(c) (6) (D) of such Code and section 304(c) (6) (D) of such Act).</text></paragraph></subsection>

<subsection id="H1D58DB1C37654EAC82D5711F48599301"><enum>(c)</enum><header>Applications for special partition</header>

<paragraph id="H0672ABF9EE8C45618C39BF7ADC37514F"><enum>(1)</enum><header>Guidance</header><text>The corporation shall issue guidance setting forth requirements for special partition applications under this section not later than 120 days after the date of the enactment of this section. In such guidance, the corporation shallâ€" </text>

<subparagraph id="H039B2A199667461CB986933882664A77"><enum>(A)</enum><text>limit the materials required for a special partition application to the minimum necessary to make a determination on the application; and </text></subparagraph>

<subparagraph id="HFB7F9C57D54E4E0CAC94DAF3A5D091FD"><enum>(B)</enum><text>provide for an alternate application for special partition under this section, which may be used by a plan that has been approved for a partition under section 4233 before the date of enactment of this section. </text></subparagraph></paragraph>

<paragraph id="H70C0E4EE6665486A9DB0A6294373EB2B"><enum>(2)</enum><header>Temporary priority consideration of applications</header>

<subparagraph id="H0CCCF43063F44737B54236555449EEC4"><enum>(A)</enum><header>In general</header><text>The corporation may specify in guidance under paragraph (1) that, during the first 2 years following the date of enactment of this section, special partition applications will be provided priority consideration, ifâ€" </text>

<clause id="H376696C6C0CC49AD85184746F3C67ED3"><enum>(i)</enum><text>the plan is likely to become insolvent within 5 years of the date of enactment of this section;</text></clause>

<clause id="H6EFD0C3BB3C84CB6834DA31D43DC711B"><enum>(ii)</enum><text>the corporation projects a plan to have a present value of financial assistance payments under section 4261 that exceeds \$1,000,000,000 if the special partition is not ordered;</text></clause>

<clause id="H554838B0350A49DCA69403FC4FBD1101"><enum>(iii)</enum><text>the plan has implemented benefit suspensions under section 305(e) (9) as of the date of the enactment of this section; or</text></clause>

<clause id="H2B598B13EBF94D2B87182BC312185C91"><enum>(iv)</enum><text>the corporation determines it appropriate based on other circumstances.</text></clause></subparagraph>

<subparagraph id="H3D544DB9C59347269A5CC774A6A506CE"><enum>(B)</enum><header>No effect on amount of assistance</header><text>A plan that is approved for special partition assistance under this section shall not receive reduced special partition assistance on account of not receiving priority consideration under subparagraph (A).</text></subparagraph></paragraph>

<paragraph id="HA2D3B6C3F488408BA4782BEDE3DB9B88"><enum>(3)</enum><header>Actuarial assumptions and other information</header><text>The corporation shall accept assumptions incorporated in a multiemployer planâ€™s determination that it is in critical status or critical and declining status (within the meaning of section 305(b)), or that the planâ€™s modified funded percentage is less than 40 percent, unless such assumptions are clearly erroneous. The corporation may require such other information as the corporation determines appropriate for making a determination of eligibility and the amount of special partition assistance necessary under this section. </text></paragraph>

<paragraph id="HCDC670EDCA5E44C482F02C0E8AAD3889"><enum>(4)</enum><header>Application deadline</header><text>Any application by a plan for special partition assistance under this section shall be submitted no later than December 31, 2026, and any revised application for special partition assistance shall be submitted no later than December 31, 2027. </text></paragraph>

<paragraph id="H50FA3B6CD09A41F89171E6684B3CB399"><enum>(5)</enum><header>Notice of application</header><text>Not later than 120 days after the date of enactment of this section, the corporation shall issue guidance requiring multiemployer plans to notify participants and beneficiaries that the plan has applied for partition under this section, after the corporation has determined that the application is complete. Such notice shall reference the special partition relief internet website described in subsection (p). </text></paragraph></subsection>

<subsection id="H19DD95B8278E454383DDF800360FE80E"><enum>(d)</enum><header>Determinations on applications</header><text>A plan's application for special partition under this section that is timely filed in accordance with guidance issued under subsection (c) (1) shall be deemed approved and the corporation shall issue a special partition order unless the corporation notifies the plan within 120 days of the filing of the application that the application is incomplete or the plan is not eligible under this section. Such notice shall specify the reasons the plan is ineligible for a special partition or information needed to complete the application. If a plan is denied partition under this subsection, the plan may submit a revised application under this section. Any revised application for special partition submitted by a plan shall be deemed approved unless the corporation notifies the plan within 120 days of the filing of the revised application that the application is incomplete or the plan is not eligible under this section. A special partition order issued by the corporation shall be effective no later than 120 days after a plan's special partition application is approved by the corporation or deemed approved.</text></subsection>

<subsection id="H17D053E4B6C64C68ABF293C09A4E3F4B"><enum>(e)</enum><header>Amount and manner of special partition assistance</header>

<paragraph id="H69868F186BC6496C85F80BDA839C9DAC"><enum>(1)</enum><header>In general</header><text>The liabilities of an eligible multiemployer plan that the corporation assumes pursuant to a special partition order under this section shall be the amount necessary for the plan to meet its funding goals described in subsection (g). </text></paragraph>

<paragraph id="H0C3CFD29C48D4E35A74BE06DF91D3A44"><enum>(2)</enum><header>No cap</header><text>Liabilities assumed by the corporation pursuant to a special partition order under this section shall not be capped by the guarantee under section 4022A. The corporation shall have discretion on how liabilities of the plan are partitioned. </text></paragraph></subsection>

<subsection id="HEA3FF8870E254A408A6E7FDB935B941C"><enum>(f)</enum><header>Successor plan</header>

<paragraph id="H5F2B2DC8951248B5B63C9846B67D7A4A"><enum>(1)</enum><header>In general</header><text>The plan created by a special partition order under this section is a successor plan to which section 4022A applies.</text></paragraph>

<paragraph id="H2433844DD3C24C7A932E64EBA701CC6A"><enum>(2)</enum><header>Plan sponsor and administrator</header><text>The plan sponsor of an eligible multiemployer plan prior to the special partition and the administrator of such plan shall be the plan sponsor and the administrator, respectively, of the plan created by the partition.</text></paragraph></subsection>

<subsection id="HAE876B773C5A4F39A3E8BB33B986B738"><enum>(g)</enum><header>Funding goals</header>

<paragraph id="HDB043CFC8E39446D8A563176B549AD2D"><enum>(1)</enum><header>In general</header><text>The funding goals of a multiemployer plan eligible for partition under this section are both of the following:</text>

<subparagraph id="HED6A9462570B47FB99E8C8213A3EED24"><enum>(A)</enum><text>The plan will remain solvent over 30 years with no reduction in a participant's or beneficiary's accrued benefit (except to the extent of a reduction in accordance with section 305(e) (8) adopted prior to the plan's application for partition under this

section).</text></subparagraph>

<subparagraph id="H234E8DF4A9EF415B9BA116FA02D08D83"><enum>(B)</enum><text>The funded percentage of the plan (disregarding partitioned benefits) at the end of the 30-year period is projected to be 80 percent.</text></subparagraph></paragraph>

<paragraph id="H752B2C733423459DB395AEF858460E32"><enum>(2)</enum><header>Basis</header><text>The funding projections under paragraph (1) shall be performed on a deterministic basis.</text></paragraph></subsection>

<subsection id="H5A773CCBACAA4064A28B860239993856"><enum>(h)</enum><header>Restoration of benefit suspensions</header><text>An eligible multiemployer plan that is partitioned under this section shallâ€

<paragraph id="H6BEDF1A4281B41C1AD1CE2B8E7E013C9"><enum>(1)</enum><text>reinstate any benefits that were suspended under section 305(e)(9) or section 4245(a), effective as of the first month the special partition order is effective, for participants or beneficiaries as of the effective date of the partition; and </text></paragraph>

<paragraph id="HC72C26522186464B8E036B93F89DA7E4"><enum>(2)</enum><text>provide payments equal to the amount of benefits previously suspended to any participants or beneficiaries in pay status as of the effective date of the special partition, payable in the form of a lump sum within 3 months of such effective date or in equal monthly installments over a period of 5 years, with no adjustment for interest.</text></paragraph></subsection>

<subsection id="H91DD38EE534D4F41A9BE4A3CEA3A27F2"><enum>(i)</enum><header>Adjustment of special partition assistance</header>

<paragraph id="HBAEAB1CB2F0141A7966BDD0F55A9FDF6"><enum>(1)</enum><header>In general</header><text>Every 5 years, the corporation shall adjust the special partition assistance described in subsection (e) as necessary for the eligible multiemployer plan to satisfy the funding goals described in subsection (g). If the 30 year period described in subsection (g) has lapsed, in applying this paragraph, 5 years shall be substituted for 30 years.</text></paragraph>

<paragraph id="HCF77B6B305794F1AA432587A6AEEAC21"><enum>(2)</enum><header>Submission of information</header><text>An eligible multiemployer plan that is the subject of a special partition order under subsection (a) shall submit such information as the corporation may require to determine the amount of the adjustment under paragraph (1).</text></paragraph>

<paragraph id="HFF4121E36B024766882E293DB3FAC4D4"><enum>(3)</enum><header>Cessation of adjustments</header><text>Adjustments under this subsection with respect to special partition assistance for an eligible multiemployer plan shall cease and the corporation shall permanently assume liability for payment of any benefits transferred to the successor plan (subject to subsection (1)) beginning with the first plan year that the funded percentage of the eligible multiemployer plan (disregarding partitioned benefits) is at least 80 percent and the planâ€™s projected funded percentage for each of the next 10 years is at least 80 percent. Any accumulated funding deficiency of the plan (within the meaning of section 304(a)) shall be reduced to zero as of the first day of the plan year for which partition assistance is permanent under this paragraph.</text></paragraph></subsection>

<subsection id="H92AA3834F3BD462886BD0D945EB2519D"><enum>(j)</enum><header>Conditions on plans during partition</header>

<paragraph id="HDA1694F9137E42DE87D0FDF41E4CC1D"><enum>(1)</enum><header>In general</header><text>The corporation may impose, by regulation, reasonable conditions on an eligible multiemployer plan that is partitioned under section (a) relating to increases in future accrual rates and any retroactive benefit improvements, allocation of plan assets, reductions in employer contribution rates, diversion of contributions to, and allocation of, expenses to other retirement plans, and withdrawal liability.</text></paragraph>

<paragraph id="HCCD205056BE14C1394B1B3A671FEF594"><enum>(2)</enum><header>Limitations</header><text>The corporation shall not impose conditions on an eligible multiemployer plan as a condition of or following receipt of such partition assistance under this section

relating toâ€" </text>

<subparagraph id="HD60B47C72BE54275A8CFCFB61A4440AD"><enum>(A)</enum><text>any reduction in plan benefits (including benefits that may be adjusted pursuant to section 305(e)(8));</text></subparagraph>

<subparagraph id="H4B5E9E54DC2B46188058B26B4316318C"><enum>(B)</enum><text>plan governance, including selection of, removal of, and terms of contracts with, trustees, actuaries, investment managers, and other service providers; or</text></subparagraph>

<subparagraph id="HD5F475F9B9B24BFAA449967D493C916F"><enum>(C)</enum><text>any funding rules relating to the plan that is partitioned under this section.</text></subparagraph></paragraph>

<paragraph id="H7B67411C4AF24A1486380290F377C3D7"><enum>(3)</enum><header>Condition</header><text>An eligible multiemployer plan that is partitioned under subsection (a) shall continue to pay all premiums due under section 4007 for participants and beneficiaries in the plan created by a special partition order until the plan year beginning after a cessation of adjustments applies under subsection (i). </text></paragraph></subsection>

<subsection id="HB514B22E46424712A4C037F22A96533D"><enum>(k)</enum><header>Withdrawal liability</header><text>An employerâ€™s withdrawal liability for purposes of this title shall be calculated taking into account any plan liabilities that are partitioned under subsection (a) until the plan year beginning after the expiration of 15 calendar years from the effective date of the partition. </text></subsection>

<subsection id="HA10B629D403B424CADBE20F5DCD2B89B"><enum>(l)</enum><header>Cessation of partition assistance</header><text>If a plan that receives partition assistance under this section becomes insolvent for purposes of section 418E of the Internal Revenue Code of 1986, the plan shall no longer be eligible for assistance under this section and shall be eligible for assistance under section 426l.</text></subsection>

<subsection id="H804B71419B23474487A2B9A1A9C08920"><enum>(m)</enum><header>Reporting</header><text display-inline="yes-display-inline">An eligible multiemployer plan that receives partition assistance under this section shall file with the corporation a report, including the following information, in such manner (which may include electronic filing requirements) and at such time as the corporation requires:</text>

<paragraph id="H5DE3DF90DBC479EAA33537E4B0DFCA2"><enum>(1)</enum><text>The funded percentage (as defined in section 305(j)(2)) as of the first day of such plan year, and the underlying actuarial value of assets and liabilities taken into account in determining such percentage. </text></paragraph>

<paragraph id="H4DF01F32825A4F50B655671DD23DCE7E"><enum>(2)</enum><text>The market value of the assets of the plan (determined as provided in paragraph (1)) as of the last day of the plan year preceding such plan year.</text></paragraph>

<paragraph id="H2B5A63936A94428DA2DB9CEE427B5AE"><enum>(3)</enum><text>The total value of all contributions made by employers and employees during the plan year preceding such plan year.</text></paragraph>

<paragraph id="H8E8460BE13D048928A2C2C624A5E78EA"><enum>(4)</enum><text>The total value of all benefits paid during the plan year preceding such plan year.</text></paragraph>

<paragraph id="H31D23FE1D5DA423DB0B9690AF424A9DE"><enum>(5)</enum><text>Cash flow projections for such plan year and the 9 succeeding plan years, and the assumptions used in making such projections.</text></paragraph>

<paragraph id="H6B15AAD1F9A646E6A4A5045147EE94E0"><enum>(6)</enum><text>Funding standard account projections for such plan year and the 9 succeeding plan years, and the assumptions relied upon in making such projections.</text></paragraph>

<paragraph id="H63310FB869324348BF7D6422200D7488"><enum>(7)</enum><text>The total value of all investment gains or losses during the plan year preceding such plan year.</text></paragraph>

<paragraph id="HD0A1FD97EE6A4E92966D31FE00237555"><enum>(8)</enum><text>Any significant reduction in the number of active participants during the plan year preceding such plan year, and the reason for such reduction.</text></paragraph>

<paragraph id="HD1CB72CAA93744C1B79F4DA2BB2474B8"><enum>(9)</enum><text>A list of employers that withdrew from the plan in the plan year preceding such plan year, the payment schedule with respect to such withdrawal liability, and the resulting reduction in contributions.</text></paragraph>

<paragraph id="H2A6049E6F0B140289C4A0047E12D70CB"><enum>(10)</enum><text>A list of employers that paid withdrawal liability to the plan during the plan year preceding such plan year and, for each employer, a total assessment of the withdrawal liability paid, the annual payment amount, and the number of years remaining in the payment schedule with respect to such withdrawal liability.</text></paragraph>

<paragraph id="H5CA78D22BCEA4EC281DD7B91B6B04CE4"><enum>(11)</enum><text>Any material changes to benefits, accrual rates, or contribution rates during the plan year preceding such plan year, and whether such changes relate to the conditions of the partition assistance.</text></paragraph>

<paragraph id="H7188E7921DFD4CBC91D04867ACE0F661"><enum>(12)</enum><text>Details regarding any funding improvement plan or rehabilitation plan and updates to such plan.</text></paragraph>

<paragraph id="HDECC1CADACB34E95B457B48F4DC363B4"><enum>(13)</enum><text>The number of participants and beneficiaries during the plan year preceding such plan year who are active participants, the number of participants and beneficiaries in pay status, and the number of terminated vested participants and beneficiaries.</text></paragraph>

<paragraph id="H851DF26583854AD8B36BE1D114D4CB2E"><enum>(14)</enum><text>The information contained on the most recent annual funding notice submitted by the plan under section 101(f).</text></paragraph>

<paragraph id="H1E90238D1AE04FC9971997E8A2AC5B3F"><enum>(15)</enum><text>The information contained on the most recent annual return under section 6058 of the Internal Revenue Code of 1986 and actuarial report under section 6059 of such Code of the plan.</text></paragraph>

<paragraph id="HA0CFA598D182404AB14110E325FBA4E9"><enum>(16)</enum><text>Copies of the plan document and amendments, other retirement benefit or ancillary benefit plans relating to the plan and contribution obligations under such plans, a breakdown of administrative expenses of the plan, participant census data and distribution of benefits, the most recent actuarial valuation report as of the plan year, financial reports, and copies of the portions of collective bargaining agreements relating to plan contributions, funding coverage, or benefits, and such other information as the corporation may reasonably require. </text></paragraph><continuation-text continuation-text-level="subsection">Any information disclosed by a plan to the corporation that could identify individual employers shall be confidential and not subject to publication or disclosure.</continuation-text></subsection>

<subsection id="HA3B2CA42BE7848EFA42EF4E3D03998DD"><enum>(n)</enum><header>Report to Congress</header>

<paragraph id="H4EB47C2FADB840B796DE7C31C92CD434"><enum>(1)</enum><header>In general</header><text>Not later than 1 year after the date of enactment of this section and annually thereafter, the board of directors of the corporation shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate and the Committee on Education and Labor and the Committee on Ways and Means of the House of Representatives a detailed report on the implementation and administration of this section. Such report shall includeâ€"></text>

<subparagraph id="H9AFEBCA3AD5A4CC7AB769E6A523FB1ED"><enum>(A)</enum><text>information on the name and number of multiemployer plans that have applied for partition assistance under this section;</text></subparagraph>

<subparagraph id="H869D78287D674CE4A1A4357DEB0936A1"><enum>(B)</enum><text>the name and number of such plans that have been approved for partition assistance under this section and the name and number of the plans that have not been approved for special partition assistance;</text></subparagraph>

<subparagraph id="HC41BA047802C45DCBBE86E6EF9D90F52"><enum>(C)</enum><text>a detailed rationale for any decision by the corporation to not approve an application for special partition assistance;</text></subparagraph>

<subparagraph id="H46F71BDA4C654F86A044B0413E5E4924"><enum>(D)</enum><text>the amount

of special partition assistance provided to eligible multiemployer plans (including amounts provided on an individual plan basis and in the aggregate);</text></subparagraph>

<subparagraph id="H466FCD4B5D69414E8310F9C6979E88D3"><enum>(E)</enum><text>the name and number of the multiemployer plans that restored benefit suspensions and provided lump sum or monthly installment payments to participants or beneficiaries;</text></subparagraph>

<subparagraph id="HF34A9449BD4E4BB8A82AF78215917E32"><enum>(F)</enum><text>the amount of benefits that were restored and lump sum or monthly installment payments that were paid (including amounts provided on an individual plan basis and in the aggregate);</text></subparagraph>

<subparagraph id="H41CA214641394CC0809A378751F700C7"><enum>(G)</enum><text>the name and number of the plans that received adjustments to partition assistance under subsection (i);</text></subparagraph>

<subparagraph id="HAC5E61F6D3C2435B94BE0EDCD39EB0CC"><enum>(H)</enum><text>a list of, and rationale for, each reasonable condition imposed by the corporation on plans approved for special partition assistance under this section;</text></subparagraph>

<subparagraph id="HBE021FC994834D90A9E8E530F7E2DFE4"><enum>(I)</enum><text>the contracts that have been awarded by the corporation to implement or administer this section;</text></subparagraph>

<subparagraph id="H14C918F91BFE4F6BAD06193AF9F22855"><enum>(J)</enum><text>the number, purpose, and dollar amounts of the contracts that have been awarded to implement or administer the section;</text></subparagraph>

<subparagraph id="HD625592CE57B4BACA5283850D7EBA6ED"><enum>(K)</enum><text>a detailed summary of the reports required under subsection (m); and</text></subparagraph>

<subparagraph id="H80A3FC000EC44CFC924DA71DA218A92B"><enum>(L)</enum><text>a detailed summary of the feedback received on the pension relief internet website established under subsection (p). </text></subparagraph></paragraph>

<paragraph id="H19FD0B1472DD4DB7B87AB0FDDF9DB03F"><enum>(2)</enum><header>PBGC certification</header><text>The board of directors of the corporation shall include with the report under paragraph (1) a certification and affirmation that the amount of special partition assistance provided to each plan under this section is the amount necessary to meet its funding goals under subsection (g), including, if applicable, any adjustment of special partition assistance as determined under subsection (i).</text></paragraph>

<paragraph id="H277E8167683D46CA8750044AD26BBF92"><enum>(3)</enum><header>Confidentiality</header><text>Congress may publicize the reports received under paragraph (1) only after redacting all sensitive or proprietary information.</text></paragraph></subsection>

<subsection id="HA8BB42F1E34E44F6BAE2BF486041E650"><enum>(o)</enum><header>GAO report</header><text>Not later than 1 year after the first partition application is approved by the corporation under this section, and biennially thereafter, the Comptroller General of the United States shall submit to the Committee on Health, Education, Labor, and Pensions and the Committee on Finance of the Senate and the Committee on Education and Labor and the Committee on Ways and Means of the House of Representatives a detailed report on the actions of the corporation to implement and administer this section, including an examination of the contracts awarded by such corporation to carry out this section and an analysis of such corporation's compliance with subsections (e) and (g).</text></subsection>

<subsection id="HD4192B76688144F5A17AAF3308E4CAA2"><enum>(p)</enum><header>Special partition relief website</header>

<paragraph id="H63FD8AC4D8FB4410866E635E62D39FA0"><enum>(1)</enum><header>Establishment</header><text>Not later than 120 days after the date of enactment of this section, the corporation shall establish and maintain a user-friendly, public-facing internet website to foster greater accountability and transparency in the implementation and administration of this section.</text></paragraph>

<paragraph id="H72367608B0424992B8F9A61D5F67AD48"><enum>(2)</enum><header>Purpose</header><text>The internet website established and maintained under paragraph (1) shall be a portal to key information relating to this section for multiemployer plan administrators and trustees, plan participants, beneficiaries, participating employers, other stakeholders, and the public.</text></paragraph>

<paragraph id="H7A3904F20C914A2090F211278F4B14FA"><enum>(3)</enum><header>Content and function</header><text>The internet website established under paragraph (1) shallâ€" </text>

<subparagraph id="H737CDDD994FE48F5BD7EBF3232E71121"><enum>(A)</enum><text>describe the nature and scope of the special partition authority and assistance under this section in a manner calculated to be understood by the average plan participant;</text></subparagraph>

<subparagraph id="HE0158CDF8D5444119314FEF5C5AEEF39"><enum>(B)</enum><text>include published guidance, regulations, and all other relevant information on the implementation and administration of this section;</text></subparagraph>

<subparagraph id="H92C2F37AD1154D719A6A989DF44941CE"><enum>(C)</enum><text>include, with respect to plan applications for special partition assistanceâ€" </text>

<clause id="HFDB4B9EAF387457C9E4BADA4D93C9542"><enum>(i)</enum><text>a general description of the process by which eligible plans can apply for special partition assistance, information on how and when the corporation will process and consider plan applications;</text></clause>

<clause id="H5F0C9C0131E1486C8CCC8C47F5EB7968"><enum>(ii)</enum><text>information on how the corporation will address any incomplete applications as specified in under this section;</text></clause>

<clause id="H36E7070E7F7D4CCDAD6CA425A3245C1D"><enum>(iii)</enum><text>a list of the plans that have applied for special partition assistance and, for each application, the date of submission of a completed application;</text></clause>

<clause id="H8292F27F8BB14C3D8BEC88DC0C4DB5ED"><enum>(iv)</enum><text>the text of each planâ€"s completed application for special partition assistance with appropriate redactions of personal, proprietary, or sensitive information; </text></clause>

<clause id="H65DA724F89A7410BB59F6C01B66A8CA0"><enum>(v)</enum><text>the estimated date that a decision will be made by the corporation on each application;</text></clause>

<clause id="HFF7E972B9E234D2AA9833E61CE3EA51F"><enum>(vi)</enum><text>the actual date when such decision is made;</text></clause>

<clause id="H1174BA9B2EB04633A2D2FAF97F2FCBBA"><enum>(vii)</enum><text>the corporationâ€"s decision on each application; and</text></clause>

<clause id="H21FB83233FCD49328362BE21959B0758"><enum>(viii)</enum><text>as applicable, a detailed rationale for any decision not to approve a planâ€"s application for special partition assistance;</text></clause></subparagraph>

<subparagraph id="H6AA55D8D20B844EE8F46BC6192DC2F8C"><enum>(D)</enum><text>provide detailed information on each contract solicited and awarded to implement or administer this section; </text></subparagraph>

<subparagraph id="HF6854BD94A794D53801873F8762C6588"><enum>(E)</enum><text>include reports, audits, and other relevant oversight and accountability information on this section, including the annual reports submitted by the board of directors of the corporation to Congress required under subsection (n), the Office of the Inspector General audits, correspondence, and publications, and the Government Accountability Office reports under subsection (o);</text></subparagraph>

<subparagraph id="HF3FF4A6124384623BB4C53FCF2275EC4"><enum>(F)</enum><text>provide a clear means for multiemployer plan administrators, plan participants, beneficiaries, other stakeholders, and the public to contact the corporation and provide feedback on the implementation and administration of this section; and</text></subparagraph>

<subparagraph id="H920CEEC29E624601A7E94E2F9D896A6D"><enum>(G)</enum><text>be regularly updated to carry out the purposes of this subsection.</text></subparagraph></subsection>

<subsection id="H3925724802804DAEB1A615E5AAAB8469"><enum>(q)</enum><header>Office of inspector general</header><text>There is authorized to be appropriated to the corporationâ€™s Office of Inspector General \$24,000,000 for fiscal year 2020, which shall remain available through September 30, 2028, for salaries and expenses necessary for conducting investigations and audits of the implementation and administration of this section. </text></subsection>

<subsection id="HDF4FC27022234D20B7F5FC40E0B822DE"><enum>(r)</enum><header>Application of excise tax</header><text>During the period that a plan is subject to a partition order under this section and prior to a cessation of adjustments pursuant to subsection (i) (3), the plan shall not be subject to section 4971 of the Internal Revenue Code of 1986.</text></subsection></section><after-quoted-block>.</after-quoted-block></quoted-block></subsection></section>

<section id="H5583F21BDE7D48258A5E2D1A203C2D02" commented="no"><enum>40102.</enum><header>Repeal of benefit suspensions for multiemployer plans in critical and declining status</header>

<subsection id="H9B01B8AF529449F98C5D0859D480530E" commented="no"><enum>(a)</enum><header>Amendment to Internal Revenue Code of 1986</header><text>Paragraph (9) of section 432(e) of the Internal Revenue Code of 1986 is repealed.</text></subsection>

<subsection id="H0EFA4543B6AD4C0CB428A734F11312FE" commented="no"><enum>(b)</enum><header>Amendment to Employee Retirement Income Security Act of 1974</header><text>Paragraph (9) of section 305(e) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(e)) is repealed.</text></subsection>

<subsection id="H7437895C217D4C09B96A4C89FC010DAD" commented="no"><enum>(c)</enum><header>Effective date</header><text>The repeals made by this section shall not apply to plans that have been approved for a suspension of benefit under section 432(e) (9) (G) of the Internal Revenue Code of 1986 and section 305(e) (9) (G) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1085(e) (9) (G)) before the date of the enactment of this Act.</text></subsection></section>

<section id="H157437DCB32E4272928FDF5D4409077"><enum>40103.</enum><header>Temporary delay of designation of multiemployer plans as in endangered, critical, or critical and declining status</header>

<subsection id="HA4E026EFE450449A9B1BC13943E2D22B"><enum>(a)</enum><header>In general</header><text>Notwithstanding the actuarial certification under section 305(b) (3) of the Employee Retirement Income Security Act of 1974 and section 432(b) (3) of the Internal Revenue Code of 1986, if a plan sponsor of a multiemployer plan elects the application of this section, then, for purposes of section 305 of such Act and section 432 of such Codeâ€" </text>

<paragraph id="H7AE525ABD9CC4B77A1B1F88DA85E5D9E"><enum>(1)</enum><text>the status of the plan for its first plan year beginning during the period beginning on March 1, 2020, and ending on February 28, 2021, or the next succeeding plan year (as designated by the plan sponsor in such election), shall be the same as the status of such plan under such sections for the plan year preceding such designated plan year, and</text></paragraph>

<paragraph id="HEABE871ADD74442B9E8CAE4C8195C643"><enum>(2)</enum><text>in the case of a plan which was in endangered or critical status for the plan year preceding the designated plan year described in paragraph (1), the plan shall not be required to update its plan or schedules under section 305(c) (6) of such Act and section 432(c) (6) of such Code, or section 305(e) (3) (B) of such Act and section 432(e) (3) (B) of such Code, whichever is applicable, until the plan year following the designated plan year described in paragraph (1).</text></paragraph><continuation-text level="subsection">If section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 did not apply to the plan year preceding the designated plan year described in paragraph (1), the plan actuary shall make a certification of the status of the plan under section 305(b) (3) of such Act and section 432(b) (3) of such Code for the preceding plan year in the same manner as if such sections had applied to such preceding plan year.</continuation-text></subsection>

<subsection id="H2F2828F5AE7549739AA282E5E3BFC909"><enum>(b)</enum><header>Exception

for plans becoming critical during election</header><text>Ifâ€"</text>

<paragraph id="H6F43988871A142118036B65878650F14"><enum>(1)</enum><text>an election was made under subsection (a) with respect to a multiemployer plan, and</text></paragraph>

<paragraph id="H37C21127CA88476DA05FEA2F95170FBB"><enum>(2)</enum><text>such plan has, without regard to such election, been certified by the plan actuary under section 305(b)(3) of the Employee Retirement Income Security Act of 1974 and section 432(b)(3) of the Internal Revenue Code of 1986 to be in critical status for the designated plan year described in subsection (a)(1), then such plan shall be treated as a plan in critical status for such plan year for purposes of applying section 4971(g)(1)(A) of such Code, section 302(b)(3) of such Act (without regard to the second sentence thereof), and section 412(b)(3) of such Code (without regard to the second sentence thereof).</text></paragraph></subsection>

<subsection id="H1327FF2109C74B2EAAAA3D61B762A5F2"><enum>(c)</enum><header>Election and notice</header>

<paragraph id="HC70386ACBD1E4849874A6BCF299E9F9C"><enum>(1)</enum><header>Election</header><text>An election under subsection (a)â€"</text>

<subparagraph id="H02A3E345CA9C4ABCBE2BF6E829BEB983"><enum>(A)</enum><text>shall be made at such time and in such manner as the Secretary of the Treasury or the Secretaryâ€™s delegate may prescribe and, once made, may be revoked only with the consent of the Secretary, and</text></subparagraph>

<subparagraph id="H73ED86ABE8174A5C8DECB345E0FC6ED7"><enum>(B)</enum><text>if madeâ€"</text>

<clause id="H472BBEBC85854AEAB7F8CFFBE6976B8B"><enum>(i)</enum><text>before the date the annual certification is submitted to the Secretary or the Secretaryâ€™s delegate under section 305(b)(3) of such Act and section 432(b)(3) of such Code, shall be included with such annual certification, and</text></clause>

<clause id="H3BAFBD9B53E94A95A1A4F69077A0AB4E"><enum>(ii)</enum><text>after such date, shall be submitted to the Secretary or the Secretaryâ€™s delegate not later than 30 days after the date of the election.</text></clause></subparagraph></paragraph>

<paragraph id="H76B360F75824418EA930A94AF21DC1A1"><enum>(2)</enum><header>Notice to participants</header>

<subparagraph id="HC95B7440DED34843A5F54D4AAB47FBBF"><enum>(A)</enum><header>In general</header><text>Notwithstanding section 305(b)(3)(D) of the Employee Retirement Income Security Act of 1974 and section 432(b)(3)(D) of the Internal Revenue Code of 1986, if the plan is neither in endangered nor critical status by reason of an election made under subsection (a)â€"</text>

<clause id="H9E99813963B8432B92D1422DA26A7C49"><enum>(i)</enum><text>the plan sponsor of a multiemployer plan shall not be required to provide notice under such sections, and</text></clause>

<clause id="HA051F25969024B359DCF76AAA0E9DA40"><enum>(ii)</enum><text>the plan sponsor shall provide to the participants and beneficiaries, the bargaining parties, the Pension Benefit Guaranty Corporation, and the Secretary of Labor a notice of the election under subsection (a) and such other information as the Secretary of the Treasury (in consultation with the Secretary of Labor) may requireâ€"</text>

<subclause id="H7C587BA5B981446DB4220893DD39C2C4"><enum>(I)</enum><text>if the election is made before the date the annual certification is submitted to the Secretary or the Secretaryâ€™s delegate under section 305(b)(3) of such Act and section 432(b)(3) of such Code, not later than 30 days after the date of the certification, and</text></subclause>

<subclause id="HC66A095BA62043768CF68E3EF6BB3490"><enum>(II)</enum><text>if the election is made after such date, not later than 30 days after the date of the election.</text></subclause></clause></subparagraph>

<subparagraph id="HACE56C42ED72401E855CE1DBCFF19E7A3"><enum>(B)</enum><header>Notice of endangered status</header><text>Notwithstanding section 305(b)(3)(D) of such Act and section 432(b)(3)(D) of such Code, if the plan is certified to be in critical status

for any plan year but is in endangered status by reason of an election made under subsection (a), the notice provided under such sections shall be the notice which would have been provided if the plan had been certified to be in endangered status.

Temporary extension of the funding improvement and rehabilitation periods for multiemployer pension plans in critical and endangered status for 2020 or 2021

(a) In general—If the plan sponsor of a multiemployer plan which is in endangered or critical status for a plan year beginning in 2020 or 2021 (determined after application of section 4) elects the application of this section, then, for purposes of section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986—

(1) except as provided in paragraph (2), the plan's funding improvement period or rehabilitation period, whichever is applicable, shall be 15 years rather than 10 years,

(2) in the case of a plan in seriously endangered status, the plan's funding improvement period shall be 20 years rather than 15 years.

Definitions and special rules
For purposes of this section—

(1) Election—An election under this section shall be made at such time, and in such manner and form, as (in consultation with the Secretary of Labor) the Secretary of the Treasury or the Secretary's delegate may prescribe.

(2) Definitions—Any term which is used in this section which is also used in section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 shall have the same meaning as when used in such sections.

(c) Effective date—This section shall apply to plan years beginning after December 31, 2019.

Adjustments to funding standard account rules

(a) Adjustments

(1) Amendment to Employee Retirement Income Security Act of 1974—Section 304(b)(8) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1084(b)) is amended by adding at the end the following new subparagraph:

(F)

A multiemployer plan with respect to which the solvency test under subparagraph (C) is met as of February 29, 2020, may elect to apply this paragraph by substituting "February 29, 2020" for "August 31, 2008" each place it appears in subparagraphs (A)(i), (B)(i)(I), and (B)(i)(II) (without regard to whether such plan previously elected the application of this paragraph). The preceding sentence shall not apply to a plan with respect to which a partition order is in effect under section 4233A.

(2) Amendment to Internal Revenue Code of 1986—Section 431(b)(8) of the Internal Revenue

Code of 1986 is amended by adding at the end the following new subparagraph:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="H83C680041DB143C790894A0890585303">

<subparagraph id="H157CBE292A92446D8A512BBE7BF8FD72" commented="no" display-inline="no-display-inline"><enum>(F)</enum><header display-inline="yes-display-inline">Relief for 2020 and 2021</header><text display-inline="yes-display-inline">A multiemployer plan with respect to which the solvency test under subparagraph (C) is met as of February 29, 2020, may elect to apply this paragraph by substituting <quote>February 29, 2020</quote> for <quote>August 31, 2008</quote> each place it appears in subparagraphs (A) (i), (B) (i) (I), and (B) (i) (II) (without regard to whether such plan previously elected the application of this paragraph). The preceding sentence shall not apply to a plan with respect to which a partition order is in effect under section 4233A of the Employee Retirement Income Security Act of 1974.</text></subparagraph><after-quoted-block>.</after-quoted-block></quoted-block></paragraph></subsection>

<subsection id="H60C6C141C18C4B159F16C160AC9E441F"><enum>(b)</enum><header>Effective dates</header>

<paragraph id="H7B2B2AF97D32426DA684A1C11CFCC8EF"><enum>(1)</enum><header>In general</header><text>The amendments made by this section shall take effect as of the first day of the first plan year ending on or after February 29, 2020, except that any election a plan makes pursuant to this section that affects the plan's funding standard account for the first plan year beginning after February 29, 2020, shall be disregarded for purposes of applying the provisions of section 305 of the Employee Retirement Income Security Act of 1974 and section 432 of the Internal Revenue Code of 1986 to such plan year.</text></paragraph>

<paragraph id="H20609993CDD446F6B3350CDB3F028B1B"><enum>(2)</enum><header>Restrictions on benefit increases</header><text>Notwithstanding paragraph (1), the restrictions on plan amendments increasing benefits in sections 304(b) (8) (D) of such Act and 431(b) (8) (D) of such Code, as applied by the amendments made by this section, shall take effect on the date of enactment of this Act.</text></paragraph></subsection></section>

<section id="H3C80C6BD FE044DFC9C25292D2287FFFF"><enum>40106.</enum><header>PBGC guarantee for participants in multiemployer plans</header><text display-inline="no-display-inline">Section 4022A(c) (1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322a(c) (1)) is amended by striking subparagraphs (A) and (B) and inserting the following:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="H45151D33B6444C15B93906837D319045">

<subparagraph id="H40D9DD4CB8DB4B6199C13EE743535D5B"><enum>(A)</enum><text>100 percent of the accrual rate up to \$15, plus 75 percent of the lesser ofâ€</text>

<clause id="HF84A384751B74222A7DB893FB EA10273"><enum>(i)</enum><text>\$70; or</text></clause>

<clause id="H713A7157324345A58AD13A62E66065DE"><enum>(ii)</enum><text>the accrual rate, if any, in excess of \$15; and</text></clause></subparagraph>

<subparagraph id="HC064608481764B22A66AAA34B64702CF"><enum>(B)</enum><text>the number of the participant's years of credited service.</text></subparagraph>

<quoted-block-continuation-text quoted-block-continuation-text-level="paragraph">For each calendar year after the first full calendar year following the date of the enactment of the <short-title>Emergency Pension Plan Relief Act of 2020</short-title>, the accrual rates in subparagraph (A) shall increase by the national average wage index (as defined in section 209(k) (1) of the Social Security Act). For purposes of this subsection, the rates applicable for determining the guaranteed benefits of the participants of any plan shall be the rates in effect for the calendar year in which the plan becomes insolvent under section 4245 or the calendar year in which the plan is terminated, if earlier.</quoted-block-continuation-text><after-quoted-block>.</after-quoted-block></quoted-block></section></title>

<title id="HA57126E7C0E14E3EBC39563E39349622"><enum>II</enum><header>Relief for Single Employer Pension Plans</header>

<section id="H56F2A17272AD4D4A8DED94EEF45B6581"><enum>40201.</enum><header>Extended amortization for single employer plans</header>

<subsection id="H4AAFF8807F07417297AFBD96255E422C"><enum>(a)</enum><header>15-year amortization under the Internal Revenue Code of 1986</header><text>Section 430(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="H0CE036E9FD784E259A8DE5B53C9745B9">

<paragraph id="H41C2D3357C9A4926A82571CC038946B2"><enum>(8)</enum><header>15-year amortization</header><text>With respect to plan years beginning after December 31, 2019â€</text>

<subparagraph id="H953B4DA0DBCE4A0DA91D2193A9E766B4"><enum>(A)</enum><text>the shortfall amortization bases for all plan years preceding the first plan year beginning after December 31, 2019 (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero, and</text></subparagraph>

<subparagraph id="H90CE7319454E4AFBBF797E6FA3297224"><enum>(B)</enum><text>subparagraphs (A) and (B) of paragraph (2) shall each be applied by substituting <quote>15-plan-year period</quote> for <quote>7-plan-year period</quote>.</text></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H72A505C19AE4445BA704A89B0418EB19"><enum>(b)</enum><header>15-year amortization under the Employee Retirement Income Security Act of 1974</header><text>Section 303(c) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(c)) is amended by adding at the end the following new paragraph:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="H76476F9D0687465A8BA58D50B5C694F9">

<paragraph id="H22DE21C8F6D749919BB7F1EF4A6BCE86"><enum>(8)</enum><header>15-year amortization</header><text>With respect to plan years beginning after December 31, 2019â€</text>

<subparagraph id="H7A2D10E9F47447C6B9EA579C34BA46F5"><enum>(A)</enum><text>the shortfall amortization bases for all plan years preceding the first plan year beginning after December 31, 2019 (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero, and</text></subparagraph>

<subparagraph id="H3077104BC23F4AF9A4F6E6BEC040D338"><enum>(B)</enum><text>subparagraphs (A) and (B) of paragraph (2) shall each be applied by substituting <quote>15-plan-year period</quote> for <quote>7-plan-year period</quote>.</text></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="HE7FEA48C95934512875F04A1D2B32E0C"><enum>(c)</enum><header>Effective date</header><text>The amendments made by this section shall apply to plan years beginning after December 31, 2019.</text></subsection></section>

<section id="H0E1541D5F1D746EA89B936F62E19997B"><enum>40202.</enum><header>Extension of pension funding stabilization percentages for single employer plans</header>

<subsection id="HAE311C93E1E64139A30F48897DA290BA"><enum>(a)</enum><header>Amendments to Internal Revenue Code of 1986</header>

<paragraph id="H9BA18D0515944B91974CCEA2C71803FB"><enum>(1)</enum><header>In general</header><text>The table contained in subclause (II) of section 430(h) (2) (C) (iv) of the Internal Revenue Code of 1986 is amended to read as follows:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="HE0911AE9ACE24BA39C584293E58D9358">

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colwidth="202pts"/><colspec coldef="fig" colname="column2" min-data-value="10"
colwidth="56pts"/><colspec coldef="fig" colname="column3" min-data-value="10"
rowsep="0" colwidth="56pts"/><thead>

<row><entry align="center" morerows="0" namest="column1" rowsep="1"
colname="column1">If the calendar year is:</entry><entry align="center" morerows="0"
namest="column2" rowsep="1" colname="column2">The applicable minimum percentage
is:</entry><entry align="center" morerows="0" namest="column3" rowsep="1"
colname="column3">The applicable maximum percentage is:</entry></row></thead>

<tbody>

<row><entry align="left" rowsep="0" stub-definition="txt-ldr" stub-hierarchy="1"
colname="column1">Any year in the period starting in 2012 and ending in
2019</entry><entry align="right" rowsep="0" colname="column2">90%</entry><entry
align="right" rowsep="0" colname="column3">110%</entry></row>

<row><entry align="left" rowsep="0" stub-definition="txt-ldr" stub-hierarchy="1"
colname="column1">Any year in the period starting in 2020 and ending in
2025</entry><entry align="right" rowsep="0" colname="column2">95%</entry><entry
align="right" rowsep="0" colname="column3">105%</entry></row>

<row><entry align="left" rowsep="0" stub-definition="txt-ldr" stub-hierarchy="1"
colname="column1">2026</entry><entry align="right" rowsep="0"
colname="column2">90%</entry><entry align="right" rowsep="0"
colname="column3">110%</entry></row>

<row><entry align="left" rowsep="0" stub-definition="txt-ldr" stub-hierarchy="1"
colname="column1">2027</entry><entry align="right" rowsep="0"
colname="column2">85%</entry><entry align="right" rowsep="0"
colname="column3">115%</entry></row>

<row><entry align="left" rowsep="0" stub-definition="txt-ldr" stub-hierarchy="1"
colname="column1">2028</entry><entry align="right" rowsep="0"
colname="column2">80%</entry><entry align="right" rowsep="0"
colname="column3">120%</entry></row>

<row><entry align="left" rowsep="0" stub-definition="txt-ldr" stub-hierarchy="1"
colname="column1">2029</entry><entry align="right" rowsep="0"
colname="column2">75%</entry><entry align="right" rowsep="0"
colname="column3">125%</entry></row>

<row><entry align="left" rowsep="0" stub-definition="txt-ldr" stub-hierarchy="1"
colname="column1">After 2029</entry><entry align="right" rowsep="0"
colname="column2">70%</entry><entry align="right" rowsep="0"
colname="column3">130%.</entry></row></tbody></tgroup></table><after-quoted-
block>.</after-quoted-block></quoted-block></paragraph>

<paragraph id="H418EF5F7B9F24B98BCE47E4554E32451"><enum>(2)</enum><header>Floor on 25-
year averages</header><text>Subclause (I) of section 430(h) (2) (C) (iv) of such Code is
amended by adding at the end the following: <quote>Notwithstanding anything in this
subclause, if the average of the first, second, or third segment rate for any 25-year
period is less than 5 percent, such average shall be deemed to be 5
percent.</quote>.</text></paragraph></subsection>

<subsection id="HD50B9FAADC724429829B8BB13851C85E"><enum>(b)</enum><header>Amendments
to Employee Retirement Income Security Act of 1974</header>

<paragraph id="H08298C98A59B4618AF028A3B5067D339"><enum>(1)</enum><header>In
general</header><text>The table contained in subclause (II) of section 303(h) (2) (C) (iv)
of the Employee Retirement Income Security Act of 1974 (29 U.S.C.
1083(h) (2) (C) (iv) (II)) is amended to read as follows:</text>

<quoted-block style="OLC" display-inline="no-display-inline"
id="H2B274971C5544770A0CDE01E5E7EE40B">

<table table-type="" table-template-name="Generic: 1 text, 2 num" align-to-
level="section" frame="topbot" colsep="1" rowsep="0" blank-lines-before="1" line-
rules="hor-ver" rule-weights="4.4.4.0.0.0">

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column1	column2	column3
If the calendar year is:	The applicable minimum percentage is:	The applicable maximum percentage is:
Any year in the period starting in 2012 and ending in 2019	90%	110%
Any year in the period starting in 2020 and ending in 2025	95%	105%
2026	90%	110%
2027	85%	115%
2028	80%	120%
2029	75%	125%
After 2029	70%	130%

After 2029

(2)

Conforming amendments

(A)

In general

Section 101(f) (2) (D) of such Act (29 U.S.C. 1021(f) (2) (D)) is amendedâ€

(i)

in clause (i) by striking *and the Bipartisan Budget Act of 2015* both places it appears and inserting *, the Bipartisan Budget Act of 2015, and the Emergency Pension Plan Relief Act of 2020*,

(ii)

in clause (ii) by striking *2023* and inserting *2029*.

(B)

Statements

The Secretary of Labor shall modify the statements required under subclauses (I) and (II) of section 101(f) (2) (D) (i) of such Act to conform to the amendments made by this

section.</text></subparagraph></paragraph>

<paragraph id="HF267E7E66CEC4F29A5F0E912DAEEA8AA"><enum>(3)</enum><header>Floor on 25-year averages</header><text>Subclause (I) of section 303(h)(2)(C)(iv) of such Act (29 U.S.C. 1083(h)(2)(C)(iv)(II)) is amended by adding at the end the following:
<quote>Notwithstanding anything in this subclause, if the average of the first, second, or third segment rate for any 25-year period is less than 5 percent, such average shall be deemed to be 5 percent.</quote>.</text></paragraph></subsection>

<subsection id="H7547C7F8BE1E4925966FE955EF6F2650"><enum>(c)</enum><header>Effective date</header><text>The amendments made by this section shall apply with respect to plan years beginning after December 31, 2019. </text></subsection></section></title>

<title id="HD0641906946544E3BBDDE49F63CA8FC6"><enum>III</enum><header>Other Retirement Related Provisions</header>

<section id="H17D678A596F84CDB54C57AD795A4187" section-type="subsequent-section"><enum>40301.</enum><header>Waiver of required minimum distributions for <enum-in-header>2019</enum-in-header></header>

<subsection id="HE2DF4036A92C49B0B38ED2132DF6BB14"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Section 401(a)(9)(I)(i) of the Internal Revenue Code of 1986 is amended by striking <quote>calendar year 2020</quote> and inserting <quote>calendar years 2019 and 2020</quote>.</text></subsection>

<subsection id="HF9B9F0B3F51641BBA92976589A5E65B1"><enum>(b)</enum><header>Eligible rollover distributions</header><text>Section 402(c)(4) of such Code is amended by striking <quote>2020</quote> each place it appears in the last sentence and inserting <quote>2019 or 2020</quote>.</text></subsection>

<subsection id="H3F6E73F4BF844D2B9CAD4CDD3B7C5487"><enum>(c)</enum><header>Conforming amendments</header><text display-inline="yes-display-inline">Section 401(a)(9)(I) of such Code is amendedâ€</text>

<paragraph id="HFE977E50908646D893D7D93219ADDCE0"><enum>(1)</enum><text>by striking clause (ii) and redesignating clause (iii) as clause (ii), and</text></paragraph>

<paragraph id="H0510186BD9624F45B2BAFB8099A66613"><enum>(2)</enum><text>by striking <quote>calendar year 2020</quote> in clause (ii)(II), as so redesignated, and inserting <quote>calendar years 2019 and 2020</quote>. </text></paragraph></subsection>

<subsection id="H7B61FE50F218430D9576859C48A87AF0"><enum>(d)</enum><header>Effective date</header><text display-inline="yes-display-inline">The amendments made by this section shall take effect as if included in the enactment of section 2203 of the Coronavirus Aid, Relief, and Economic Security Act, except that subparagraph (c)(1) thereof shall be applied by substituting <quote>December 31, 2018</quote> for <quote>December 31, 2019</quote>.</text></subsection></section>

<section id="H6EAB85767E8D4DE49B300BE0C345140F"><enum>40302.</enum><header>Waiver of <enum-in-header>60</enum-in-header>-day rule in case of rollover of otherwise required minimum distributions in <enum-in-header>2019</enum-in-header> or <enum-in-header>2020</enum-in-header></header>

<subsection id="H16944DD5D4444DD1B92D4D6CB7E94E0B"><enum>(a)</enum><header>Qualified trusts</header><text display-inline="yes-display-inline">402(c)(3) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:</text>

<quoted-block style="OLC" id="H1495353D56134CC6999852831BBBFF81" display-inline="no-display-inline">

<subparagraph id="H34D5CC3F48484F8390344FE38BBF8DBD"><enum>(D)</enum><header>Exception for rollover of otherwise required minimum distributions in <enum-in-header>2019</enum-in-header> or <enum-in-header>2020</enum-in-header></header><text display-inline="yes-display-inline">In the case of an eligible rollover distribution described in the second sentence of paragraph (4), subparagraph (A) shall not apply to any transfer of such distribution made before December 1, 2020.</text></subparagraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="HA16CF79D2E9A405388D8421889403FE7"><enum>(b)</enum><header>Individual

retirement accounts</header><text>Section 408(d)(3) of such Code is amended by adding at the end the following new subparagraph:</text>

<quoted-block style="OLC" id="H809EE3D9F762455CB821047A2458EE50" display-inline="no-display-inline">

<subparagraph id="HDA0D60C36321489A9270D8BC35D1384B"><enum>(J)</enum><header>Waiver of 60-day rule and once per-year limitation for certain <enum-in-header>2019</enum-in-header> and <enum-in-header>2020</enum-in-header> rollovers</header><text display-inline="yes-display-inline">In the case of a distribution during 2019 or 2020 to which, under subparagraph (E), this paragraph would not have applied had the minimum distribution requirements of section 401(a)(9) applied during such years, the 60-day requirement under subparagraph (A) and the limitation under subparagraph (B) shall not apply to such distribution to the extent the amount is paid into an individual retirement account, individual retirement annuity (other than an endowment contract), or eligible retirement plan (as defined in subparagraph (A)) as otherwise required under such subparagraph before December 1, 2020.</text></subparagraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H5FDBB5F671D247B99D70FC59B087D84C"><enum>(c)</enum><header>Effective date</header><text>The amendments made by this section shall apply to taxable years beginning after December 31, 2018.</text></subsection></section>

<section id="H0C27AEEFA12E4C0B91EF9C49CDFFA282"><enum>40303.</enum><header>Employee certification as to eligibility for increased CARES Act loan limits from employer plan</header>

<subsection id="H238F5950A30E412FB38728F99CB62B54"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Section 2202(b) of the Coronavirus Aid, Relief, and Economic Security Act is amended by adding at the end the following new paragraph:</text>

<quoted-block style="OLC" id="H79B8E25C85F34134B821785AF9E7D1D3" display-inline="no-display-inline">

<paragraph id="H9C2AC3DDB79243FBA71951060CEBC022"><enum>(4)</enum><header>Employee certification</header><text display-inline="yes-display-inline">The administrator of a qualified employer plan may rely on an employee's certification that the requirements of subsection (a)(4)(A)(ii) are satisfied in determining whether the employee is a qualified individual for purposes of this subsection.</text></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H15EF989CB44745769E30EF0DCAC06D53"><enum>(b)</enum><header>Effective date</header><text display-inline="yes-display-inline">The amendment made by this section shall take effect as if included in the enactment of section 2202(b) of the Coronavirus Aid, Relief, and Economic Security Act.</text></subsection></section>

<section id="H1AE533C77B844CF1BD1F1244ADE736F6"><enum>40304.</enum><header>Exclusion of benefits provided to volunteer firefighters and emergency medical responders made permanent</header>

<subsection id="H3CF05B691B6A48BCA63669B333D0489A"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Section 139B of the Internal Revenue Code of 1986 is amended by striking subsection (d).</text></subsection>

<subsection id="H3DF946A3A4C84B348A1B28CE369AE998"><enum>(b)</enum><header>Effective date</header><text>The amendment made by this section shall apply to taxable years beginning after December 31, 2020.</text></subsection></section>

<section id="H9D1F4E2626434A9AA7F779298B3F2C37"><enum>40305.</enum><header>Application of special rules to money purchase pension plans</header><text display-inline="no-display-inline">Section 2202(a)(6)(B) of the Coronavirus Aid, Relief, and Economic Security Act is amended by inserting <quote>, and, in the case of a money purchase pension plan, a coronavirus-related distribution which is an in-service withdrawal shall be treated as meeting the distribution rules of section 401(a) of such Code</quote> before the period.</text></section>

<section id="H4A8F20AF30FE4A31843352A370276DF3"><enum>40306.</enum><header>Grants to assist low-income women and survivors of domestic violence in obtaining qualified domestic relations orders</header>

<subsection

id="HDDA92FFA0D654422B99B3C4C751690F7"><enum>(a)</enum><header>Authorization of grant awards</header><text>The Secretary of Labor, acting through the Director of the Women's Bureau and in conjunction with the Assistant Secretary of the Employee Benefits Security Administration, shall award grants, on a competitive basis, to eligible entities to enable such entities to assist low-income women and survivors of domestic violence in obtaining qualified domestic relations orders and ensuring that those women actually obtain the benefits to which they are entitled through those orders.</text></subsection>

<subsection id="H8B55F7E73F9A432BB145C7264D4ED167"><enum>(b)</enum><header>Definition of eligible entity</header><text>In this section, the term <term>eligible entity</term> means a community-based organization with proven experience and expertise in serving women and the financial and retirement needs of women.</text></subsection>

<subsection

id="HFACAFBBF56C449A09E7361353F02C8DA"><enum>(c)</enum><header>Application</header><text>An eligible entity that desires to receive a grant under this section shall submit an application to the Secretary of Labor at such time, in such manner, and accompanied by such information as the Secretary of Labor may require.</text></subsection>

<subsection id="H1C20FACCAAD645D58D77DAF444C0EAEF"><enum>(d)</enum><header>Minimum grant amount</header><text>The Secretary of Labor shall award grants under this section in amounts of not less than \$250,000.</text></subsection>

<subsection id="H1339D09DAEE644A4BB7BB5F377A78DCD"><enum>(e)</enum><header>Use of funds</header><text>An eligible entity that receives a grant under this section shall use the grant funds to develop programs to offer help to low-income women or survivors of domestic violence who need assistance in preparing, obtaining, and effectuating a qualified domestic relations order.</text></subsection>

<subsection

id="H666ACD2A31B84733874C028781356924"><enum>(f)</enum><header>Authorization of appropriations</header><text>There is authorized to be appropriated to carry out this section \$100,000,000 for fiscal year 2020 and each succeeding fiscal year.</text></subsection></section>

<section id="H7EF27568DABD4C09B323DEF467D60D95" section-type="subsequent-section"><enum>40307.</enum><header>Modification of special rules for minimum funding standards for community newspaper plans</header>

<subsection id="HC322B1D750C642DEB9862C8A8006EB19"><enum>(a)</enum><header>Amendment to Internal Revenue Code of <enum-in-header>1986</enum-in-header></header><text display-inline="yes-display-inline">Subsection (m) of section 430 of the Internal Revenue Code of 1986, as added by the Setting Every Community Up for Retirement Enhancement Act of 2019, is amended to read as follows: </text>

<quoted-block act-name="" id="H90B45B51F4A84C7CB596E11DDA5F4295" style="OLC">

<subsection id="HF18DFE5EDCDA4833ABD73061F32B54C3"><enum>(m)</enum><header>Special rules for community newspaper plans</header>

<paragraph display-inline="no-display-inline"

id="HDC5762FC176E49DA987D7DEC3776B45A"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">An eligible newspaper plan sponsor of a plan under which no participant has had the participant's accrued benefit increased (whether because of service or compensation) after April 2, 2019, may elect to have the alternative standards described in paragraph (4) apply to such plan.</text></paragraph>

<paragraph id="H0172C0BF4C514131BF5B7B34F3CF842B"><enum>(2)</enum><header>Eligible newspaper plan sponsor</header><text>The term <term>eligible newspaper plan sponsor</term> means the plan sponsor of a</text>

<subparagraph id="H03C58259D89B482C90529866063D3248"><enum>(A)</enum><text>any community newspaper plan, or</text></subparagraph>

<subparagraph id="H3598B6A0CB71406EBEEBFAB5B2820586"><enum>(B)</enum><text>any other plan sponsored, as of April 2, 2019, by a member of the same controlled group of a plan sponsor of a community newspaper plan if such member is in the trade or business of publishing 1 or more newspapers.</text></subparagraph></paragraph>

<paragraph id="H9C388EDB1FD8403D99BF2E22D782E712"><enum>(3)</enum><header>Election</header><text display-inline="yes-display-inline">An election under paragraph (1) shall be made at such time and in such manner as prescribed by the Secretary. Such election, once made with respect to a plan year, shall apply to all subsequent plan years unless revoked with the consent of the Secretary.</text></paragraph>

<paragraph id="H8706946F329E4EF9BA6D5B214F245BB4"><enum>(4)</enum><header>Alternative minimum funding standards</header><text>The alternative standards described in this paragraph are the following:</text>

<subparagraph id="H547B6DE378B44A52B804B4DB16719EE8"><enum>(A)</enum><header>Interest rates</header>

<clause id="H25AEE4866FDD41E69F47304D60B77FD9"><enum>(i)</enum><header>In general</header><text>Notwithstanding subsection (h) (2) (C) and except as provided in clause (ii), the first, second, and third segment rates in effect for any month for purposes of this section shall be 8 percent.</text></clause>

<clause id="HA234DCFBB5E143548DE18CF5029F62D5"><enum>(ii)</enum><header>New benefit accruals</header><text display-inline="yes-display-inline">Notwithstanding subsection (h) (2), for purposes of determining the funding target and normal cost of a plan for any plan year, the present value of any benefits accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect shall be determined on the basis of the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.</text></clause>

<clause id="HE2D00B25B7F94C1EB1DC5E710DA80459"><enum>(iii)</enum><header>United States Treasury obligation yield curve</header><text>For purposes of this subsection, the term <term>United States Treasury obligation yield curve</term> means, with respect to any day, a yield curve which shall be prescribed by the Secretary for such day on interest-bearing obligations of the United States.</text></clause></subparagraph>

<subparagraph id="HEE6141B16C2D4610B04735FFB7416B84"><enum>(B)</enum><header>Shortfall amortization base</header>

<clause id="H9A5669A168CB40A3A13ACBBD1FFA1A1C"><enum>(i)</enum><header>Previous shortfall amortization bases</header><text>The shortfall amortization bases determined under subsection (c) (3) for all plan years preceding the first plan year to which the election under paragraph (1) applies (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero under rules similar to the rules of subsection (c) (6).</text></clause>

<clause id="H3B62AE6DA35B46D79A52E93D7FCA6ECD"><enum>(ii)</enum><header>New shortfall amortization base</header><text>Notwithstanding subsection (c) (3), the shortfall amortization base for the first plan year to which the election under paragraph (1) applies shall be the funding shortfall of such plan for such plan year (determined using the interest rates as modified under subparagraph (A)).</text></clause></subparagraph>

<subparagraph id="HD6A3E70380194F81842A30056054CFF4"><enum>(C)</enum><header>Determination of shortfall amortization installments</header>

<clause id="H7DEBA691E7F3457083F4576F9358B217"><enum>(i)</enum><header>30-year period</header><text>Subparagraphs (A) and (B) of subsection (c) (2) shall be applied by substituting <quote>30-plan-year</quote> for <quote>7-plan-year</quote> each place it appears.</text></clause>

<clause id="HEDA956F4C24A4F86B778BB2EDB8B416F"><enum>(ii)</enum><header>No special election</header><text>The election under subparagraph (D) of subsection (c) (2) shall not apply to any plan year to which the election under paragraph (1) applies.</text></clause></subparagraph>

<subparagraph id="HD620EF5406E94AF4A6DDBF41672CC0A1"><enum>(D)</enum><header>Exemption from at-risk treatment</header><text>Subsection (i) shall not apply.</text></subparagraph></paragraph>

<paragraph id="HBEFA351BE4674BF78D83EA93897DE3C8"><enum>(5)</enum><header>Community newspaper plan</header><text>For purposes of this subsectionâ€" </text>

<subparagraph id="H78BAA3B7E1FC486993B88A1AEB931F71"><enum>(A)</enum><header>In general</header><text>The term <term>community newspaper plan</term> means any plan to which this section applies maintained as of December 31, 2018, by an employer whichâ€"></text>

<clause id="HA050C352CDD54F32A1C66E651AD7473B"><enum>(i)</enum><text display-inline="yes-display-inline">maintains the plan on behalf of participants and beneficiaries with respect to employment in the trade or business of publishing 1 or more newspapers which were published by the employer at any time during the 11-year period ending on the date of the enactment of this subsection,</text></clause>

<clause id="H477EADD6B5AD4E8A9D304446FA13E868"><enum>(ii)</enum>

<subclause commented="no" display-inline="yes-display-inline" id="HB0856CF44D344E09934A8DC9EF795961"><enum>(I)</enum><text>is not a company the stock of which is publicly traded (on a stock exchange or in an over-the-counter market), and is not controlled, directly or indirectly, by such a company, or</text></subclause>

<subclause id="HD1087498E9B740EB9AEF2DEAECE8AB65" indent="up1"><enum>(II)</enum><text display-inline="yes-display-inline">is controlled, directly or indirectly, during the entire 30-year period ending on the date of the enactment of this subsection by individuals who are members of the same family, and does not publish or distribute a daily newspaper that is carrier-distributed in printed form in more than 5 States, and</text></subclause></clause>

<clause id="HE165CA7E1A1C47DF8629E4A90ACB2D92"><enum>(iii)</enum><text>is controlled, directly or indirectlyâ€"></text>

<subclause id="H8ED5BD5DC44844819D254BFD4D7EB02F"><enum>(I)</enum><text>by 1 or more persons residing primarily in a State in which the community newspaper has been published on newsprint or carrier-distributed,</text></subclause>

<subclause id="H4D00D27FB58F457EB3B0550CEC2C30DE"><enum>(II)</enum><text display-inline="yes-display-inline">during the entire 30-year period ending on the date of the enactment of this subsection by individuals who are members of the same family,</text></subclause>

<subclause id="H0E8F79CF5EF74828940A6CC40F3ABD52"><enum>(III)</enum><text>by 1 or more trusts, the sole trustees of which are persons described in subclause (I) or (II), or</text></subclause>

<subclause id="HA15F3A40A9E04ADCA4C36E390C998F5A"><enum>(IV)</enum><text>by a combination of persons described in subclause (I), (II), or (III).</text></subclause></clause></subparagraph>

<subparagraph id="H2DEB3DFD3BA04531997679145EBCFAA7"><enum>(B)</enum><header>Newspaper</header><text>The term <term>newspaper</term> does not include any newspaper (determined without regard to this subparagraph) to which any of the following apply:</text>

<clause id="H1D4076DBA30942C6BEF8695C37B4BDB2"><enum>(i)</enum><text>Is not in general circulation.</text></clause>

<clause id="H5FB521B78974434894FF3FEA2EE49883"><enum>(ii)</enum><text>Is published (on newsprint or electronically) less frequently than 3 times per week.</text></clause>

<clause id="HB55F5B319E7E4128847358D6E6E71299"><enum>(iii)</enum><text>Has not ever been regularly published on newsprint.</text></clause>

<clause id="H4CD9438A208B4B05A45B5F7F89C2412B"><enum>(iv)</enum><text>Does not have a bona fide list of paid subscribers.</text></clause></subparagraph>

<subparagraph id="H1221DB04C7B248E388155B884FC2950D"><enum>(C)</enum><header>Control</header><text>A person shall be treated as controlled by another person if such other person possesses, directly or indirectly, the power to direct or cause the direction and management of such person (including the power to elect a majority of the members of the board of directors of such person) through the ownership of voting securities.</text></subparagraph></paragraph>

<paragraph id="HEB5937698CE94972A879A3DBE0AB891D"><enum>(6)</enum><header>Controlled group</header><text>For purposes of this subsection, the term <term>controlled

group</term> means all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 as of the date of the enactment of this subsection.</text></paragraph></subsection><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H43DA7D6502DD4E09BCF638652AD9E737"><enum>(b)</enum><header>Amendment to Employee Retirement Income Security Act of 1974</header><text>Subsection (m) of section 303 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1083(m)), as added by the Setting Every Community Up for Retirement Enhancement Act of 2019, is amended to read as follows:</text>

<quoted-block display-inline="no-display-inline" id="H4761943DF1F4462D9FF00C0E5F869220" style="OLC">

<subsection id="H6407157EE6314AE086F5ED76EBFCE0D4"><enum>(m)</enum><header>Special rules for community newspaper plans</header>

<paragraph display-inline="no-display-inline" id="HD65B44D1D91B464F85B39996334E540C"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">An eligible newspaper plan sponsor of a plan under which no participant has had the participantâ€™s accrued benefit increased (whether because of service or compensation) after April 2, 2019, may elect to have the alternative standards described in paragraph (4) apply to such plan.</text></paragraph>

<paragraph id="HC1D242BCA1C74B609A32FB39B1DFA561"><enum>(2)</enum><header>Eligible newspaper plan sponsor</header><text>The term <term>eligible newspaper plan sponsor</term> means the plan sponsor ofâ€

<subparagraph id="H159AD3FCDBD4447C92B00A3750285C5C"><enum>(A)</enum><text>any community newspaper plan, or</text></subparagraph>

<subparagraph id="H2235700B56DC4836AB493B8035DE769F"><enum>(B)</enum><text>any other plan sponsored, as of April 2, 2019, by a member of the same controlled group of a plan sponsor of a community newspaper plan if such member is in the trade or business of publishing 1 or more newspapers.</text></subparagraph></paragraph>

<paragraph id="H40C0DC225D624F8F962586967C3643F7"><enum>(3)</enum><header>Election</header><text display-inline="yes-display-inline">An election under paragraph (1) shall be made at such time and in such manner as prescribed by the Secretary of the Treasury. Such election, once made with respect to a plan year, shall apply to all subsequent plan years unless revoked with the consent of the Secretary of the Treasury.</text></paragraph>

<paragraph id="HB8F3548F14F94F559E54CAFC07965E6C"><enum>(4)</enum><header>Alternative minimum funding standards</header><text>The alternative standards described in this paragraph are the following:</text>

<subparagraph id="H19639B2CC6B640B2A7C04FF4579D9F4D"><enum>(A)</enum><header>Interest rates</header>

<clause id="HF23C88B4E225478693327AD06755B2FA"><enum>(i)</enum><header>In general</header><text>Notwithstanding subsection (h) (2) (C) and except as provided in clause (ii), the first, second, and third segment rates in effect for any month for purposes of this section shall be 8 percent.</text></clause>

<clause id="H618E5417A54C4439B075123C0B1F6401"><enum>(ii)</enum><header>New benefit accruals</header><text display-inline="yes-display-inline">Notwithstanding subsection (h) (2), for purposes of determining the funding target and normal cost of a plan for any plan year, the present value of any benefits accrued or earned under the plan for a plan year with respect to which an election under paragraph (1) is in effect shall be determined on the basis of the United States Treasury obligation yield curve for the day that is the valuation date of such plan for such plan year.</text></clause>

<clause id="H1EA39863C7D14CCF967A98673EEE519F"><enum>(iii)</enum><header>United States Treasury obligation yield curve</header><text>For purposes of this subsection, the term <term>United States Treasury obligation yield curve</term> means, with respect to any day, a yield curve which shall be prescribed by the Secretary of the Treasury for such day on interest-bearing obligations of the United States.</text></clause></subparagraph>

<subparagraph id="HACB5068C5D464C7884ED4A98FDF1BE7B"><enum>(B)</enum><header>Shortfall amortization base</header>

<clause id="HD7B4932FE8E44BD581FDEDBCC13B0AD0"><enum>(i)</enum><header>Previous shortfall amortization bases</header><text>The shortfall amortization bases determined under subsection (c) (3) for all plan years preceding the first plan year to which the election under paragraph (1) applies (and all shortfall amortization installments determined with respect to such bases) shall be reduced to zero under rules similar to the rules of subsection (c) (6).</text></clause>

<clause id="H0CD5E6DB31A04B8985BC174EAACAE46C"><enum>(ii)</enum><header>New shortfall amortization base</header><text>Notwithstanding subsection (c) (3), the shortfall amortization base for the first plan year to which the election under paragraph (1) applies shall be the funding shortfall of such plan for such plan year (determined using the interest rates as modified under subparagraph (A)).</text></clause></subparagraph>

<subparagraph id="HEE809E3AB4494DFF89D38C2D5CE169FE"><enum>(C)</enum><header>Determination of shortfall amortization installments</header>

<clause id="HD306ABDFE4684635AF4F5E02AA4FEED1"><enum>(i)</enum><header>30-year period</header><text>Subparagraphs (A) and (B) of subsection (c) (2) shall be applied by substituting <quote>30-plan-year</quote> for <quote>7-plan-year</quote> each place it appears.</text></clause>

<clause id="H5E03A71610D749F48DA28CD37AE91719"><enum>(ii)</enum><header>No special election</header><text>The election under subparagraph (D) of subsection (c) (2) shall not apply to any plan year to which the election under paragraph (1) applies.</text></clause></subparagraph>

<subparagraph id="H210E70DEF9614954B86FD8E6026EC929"><enum>(D)</enum><header>Exemption from at-risk treatment</header><text>Subsection (i) shall not apply.</text></subparagraph></paragraph>

<paragraph id="H59F4C10EAD154C15A2924D9A5AB69000"><enum>(5)</enum><header>Community newspaper plan</header><text>For purposes of this subsectionâ€" </text>

<subparagraph id="H46A2435EF3CB426E8DA090924DC7B214"><enum>(A)</enum><header>In general</header><text>The term <term>community newspaper plan</term> means a plan to which this section applies maintained as of December 31, 2018, by an employer whichâ€" </text>

<clause id="HE7A79C9B139F40B6B5CCEB234AE5510B" commented="no"><enum>(i)</enum><text>maintains the plan on behalf of participants and beneficiaries with respect to employment in the trade or business of publishing 1 or more newspapers which were published by the employer at any time during the 11-year period ending on the date of the enactment of this subsection,</text></clause>

<clause id="HD9031C618A6149E9BFF07A4498315355"><enum>(ii)</enum>

<subclause commented="no" display-inline="yes-display-inline" id="H8E4F0CE87E044506AD37F5581E4025CD"><enum>(I)</enum><text>is not a company the stock of which is publicly traded (on a stock exchange or in an over-the-counter market), and is not controlled, directly or indirectly, by such a company, or</text></subclause>

<subclause id="H83EEF67A272042D3BA2EACE07AF90055" indent="up1"><enum>(II)</enum><text display-inline="yes-display-inline">is controlled, directly, or indirectly, during the entire 30-year period ending on the date of the enactment of this subsection by individuals who are members of the same family, and does not publish or distribute a daily newspaper that is carrier-distributed in printed form in more than 5 States, and</text></subclause></clause>

<clause id="H98632539959243038A565B5B07FC4006"><enum>(iii)</enum><text>is controlled, directly, or indirectlyâ€" </text>

<subclause id="HEC2D41D6E2B04B279FB7D767E2F4F461"><enum>(I)</enum><text>by 1 or more persons residing primarily in a State in which the community newspaper has been published on newsprint or carrier-distributed,</text></subclause>

<subclause id="H692066F4DFF74F90B7F7DDBE446E3BC1"><enum>(II)</enum><text display-

inline="yes-display-inline">during the entire 30-year period ending on the date of the enactment of this subsection by individuals who are members of the same family,</text></subclause>

<subclause id="HA4E3F74A677B4498BD958FB0CFD96081"><enum>(III)</enum><text>by 1 or more trusts, the sole trustees of which are persons described in subclause (I) or (II), or</text></subclause>

<subclause id="H42F87DE5799E4F5F86FADF67B67078F2"><enum>(IV)</enum><text>by a combination of persons described in subclause (I), (II), or (III).</text></subclause></clause></subparagraph>

<subparagraph id="HDC364224F1C942C0867538E45894A7F3"><enum>(B)</enum><header>Newspaper</header><text>The term <term>newspaper</term> does not include any newspaper (determined without regard to this subparagraph) to which any of the following apply:</text>

<clause id="HCB7D9CC5C1014AEFAD99591C999C01CF"><enum>(i)</enum><text>Is not in general circulation.</text></clause>

<clause id="H2E9E77077BEF4A169EBBC49262FCA1F8"><enum>(ii)</enum><text>Is published (on newsprint or electronically) less frequently than 3 times per week.</text></clause>

<clause id="H9A5D100C7A9A495CBB68B96779BC8EEF"><enum>(iii)</enum><text>Has not ever been regularly published on newsprint.</text></clause>

<clause id="H8D581E68DAFC49058D076EC3F4BFA054"><enum>(iv)</enum><text>Does not have a bona fide list of paid subscribers.</text></clause></subparagraph>

<subparagraph id="HE4C6CD0858D74FEFB8546C1186048567"><enum>(C)</enum><header>Control</header><text>A person shall be treated as controlled by another person if such other person possesses, directly or indirectly, the power to direct or cause the direction and management of such person (including the power to elect a majority of the members of the board of directors of such person) through the ownership of voting securities.</text></subparagraph></paragraph>

<paragraph commented="no" display-inline="no-display-inline" id="H749C9A1CF25D454A8909754356CD13C6"><enum>(6)</enum><header display-inline="yes-display-inline">Controlled group</header><text display-inline="yes-display-inline">For purposes of this subsection, the term <term>controlled group</term> means all persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 as of the date of the enactment of this subsection.</text></paragraph>

<paragraph id="HD5A73FA343644D809DF907FED3048BC8"><enum>(7)</enum><header>Effect on premium rate calculation</header><text>Notwithstanding any other provision of law or any regulation issued by the Pension Benefit Guaranty Corporation, in the case of a plan for which an election is made to apply the alternative standards described in paragraph (3), the additional premium under section 4006(a)(3)(E) shall be determined as if such election had not been made.</text></paragraph></subsection><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H74D2D69DCFF047038FCF0FC2F92AD8EE"><enum>(c)</enum><header>Effective date</header><text display-inline="yes-display-inline">The amendments made by this section shall apply to plan years ending after December 31, 2017.</text></subsection></section>

<section id="H9FB1DAEBA16F4F2AAF71F36A37DA65A1"><enum>40308.</enum><header>Minimum rate of interest for certain determinations related to life insurance contracts</header>

<subsection id="H354DE17470C24DFCB4E3779AF4F019FF"><enum>(a)</enum><header>Modification of minimum rate for purposes of cash value accumulation test</header>

<paragraph id="H7D31A575B3494C3BB97BC0B3899C52F8"><enum>(1)</enum><header>In general</header><text>Section 7702(b)(2)(A) of the Internal Revenue Code of 1986 is amended by striking <quote>an annual effective rate of 4 percent</quote> and inserting <quote>the applicable accumulation test minimum rate</quote>.</text></paragraph>

<paragraph id="HD880B6557E454D76BF07C42BDEA7E805"><enum>(2)</enum><header>Applicable accumulation test minimum rate</header><text>Section 7702(b) of such Code is amended by

adding at the end the following new paragraph:</text>

<quoted-block style="OLC" id="HC8CEA3F729814708849673FA2240C0DA" display-inline="no-display-inline">

<paragraph id="HD2326DCA980B41B79215750F8677776D"><enum>(3)</enum><header>Applicable accumulation test minimum rate</header><text display-inline="yes-display-inline">For purposes of paragraph (2) (A), the term <term>applicable accumulation test minimum rate</term> means the lesser ofâ€</text>

<subparagraph id="H05E0A9763EC94AAFA2252F87842BEE57"><enum>(A)</enum><text>an annual effective rate of 4 percent, or</text></subparagraph>

<subparagraph id="H3A4DD1B2A597459CAF90854009BC22E2"><enum>(B)</enum><text>the insurance interest rate (as defined in subsection (f) (11)) in effect at the time the contract is issued.</text></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></paragraph></subsection>

<subsection id="HAF4556DBFA6B42CEB26D3A043A9C26F6"><enum>(b)</enum><header>Modification of minimum rate for purposes of guideline premium requirements</header>

<paragraph id="H79BE96203E4D4CAB8604691813786C05"><enum>(1)</enum><header>In general</header><text>Section 7702(c) (3) (B) (iii) of such Code is amended by striking <quote>an annual effective rate of 6 percent</quote> and inserting <quote>the applicable guideline premium minimum rate</quote>.</text></paragraph>

<paragraph id="HF40D4752FC2148C4BD50F525B247787E"><enum>(2)</enum><header>Applicable guideline premium minimum rate</header><text>Section 7702(c) (3) of such Code is amended by adding at the end the following new subparagraph:</text>

<quoted-block style="OLC" id="H17A9F64AF2654615AD8F311EF1379854" display-inline="no-display-inline">

<subparagraph id="H4114A539B6E34BC882BE44CAC45B9522"><enum>(E)</enum><header>Applicable guideline premium minimum rate</header><text display-inline="yes-display-inline">For purposes of subparagraph (B) (iii), the term <term>applicable guideline premium minimum rate</term> means the applicable accumulation test minimum rate (as defined in subsection (b) (3)) plus 2 percentage points.</text></subparagraph><after-quoted-block>.</after-quoted-block></quoted-block></paragraph></subsection>

<subsection id="HFD9E30E2B2064157AEE55E5DC19382D0"><enum>(c)</enum><header>Application of modified minimum rates to determination of guideline level premium</header><text>Section 7702(c) (4) of such Code is amendedâ€</text>

<paragraph id="H45F93FBD2FD04CD78FBFB9B1531D2376"><enum>(1)</enum><text>by striking <quote>4 percent</quote> and inserting <quote>the applicable accumulation test minimum rate</quote>, and</text></paragraph>

<paragraph id="HA9374CFCE04B4F729AAC639E8DE7C7F7"><enum>(2)</enum><text>by striking <quote>6 percent</quote> and inserting <quote>the applicable guideline premium minimum rate</quote>.</text></paragraph></subsection>

<subsection id="H2C8D0052C44C44ABA069C9AEBCA68459"><enum>(d)</enum><header>Insurance interest rate</header><text>Section 7702(f) of such Code is amended by adding at the end the following new paragraph:</text>

<quoted-block style="OLC" id="HBE1F1CD73F88442B98FF4847E59A5D33" display-inline="no-display-inline">

<paragraph id="H3E2C4DA0A73D4A82947D6A6925B16228"><enum>(11)</enum><header>Insurance interest rate</header><text display-inline="yes-display-inline">For purposes of this sectionâ€</text>

<subparagraph id="HCF11C73898614CC9996BCE6D816E07A9"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">The term <term>insurance interest rate</term> means, with respect to any contract issued in any calendar year, the lesser ofâ€</text>

<clause id="H425A881868F54E349C745BF5346ADD4B"><enum>(i)</enum><text>the section 7702 valuation interest rate for such calendar year (or, if such calendar year is not an adjustment year, the most recent adjustment year), or</text></clause>

<clause id="H9D3C1A51B5AA498EABC402C3FAA5EA5E"><enum>(ii)</enum><text>the section 7702 applicable Federal interest rate for such calendar year (or, if such calendar year is not an adjustment year, the most recent adjustment year).</text></clause></subparagraph>

<subparagraph id="HBC72EDE7BCCA4351A4E2567D2A038EC1"><enum>(B)</enum><header>Section 7702 valuation interest rate</header><text display-inline="yes-display-inline">The term <term>section 7702 valuation interest rate</term> means, with respect to any adjustment year, the prescribed U.S. valuation interest rate for life insurance with guaranteed durations of more than 20 years (as defined in the National Association of Insurance Commissioners' Standard Valuation Law) as effective in the calendar year immediately preceding such adjustment year.</text></subparagraph>

<subparagraph id="HB0217653989E4F5CB825C31FA1DEA0A4"><enum>(C)</enum><header>Section 7702 applicable Federal interest rate</header><text display-inline="yes-display-inline">The term <term>section 7702 applicable Federal interest rate</term> means, with respect to any adjustment year, the average (rounded to the nearest whole percentage point) of the applicable Federal mid-term rates (as defined in section 1274(d) but based on annual compounding) effective as of the beginning of each of the calendar months in the most recent 60-month period ending before the second calendar year prior to such adjustment year.</text></subparagraph>

<subparagraph id="H6E65A3F5CF184591AF0E37950C427268"><enum>(D)</enum><header>Adjustment year</header><text display-inline="yes-display-inline">The term <term>adjustment year</term> means the calendar year following any calendar year that includes the effective date of a change in the prescribed U.S. valuation interest rate for life insurance with guaranteed durations of more than 20 years (as defined in the National Association of Insurance Commissioners' Standard Valuation Law).</text></subparagraph>

<subparagraph id="H8F79CE4D94F441C0A9C46F91B6B4C60C"><enum>(E)</enum><header>Transition rule</header><text display-inline="yes-display-inline">Notwithstanding subparagraph (A), the insurance interest rate shall be 2 percent in the case of any contract which is issued during the period thatâ€</text>

<clause id="HFCC09BBB030741EA92055D0347B3B71E"><enum>(i)</enum><text>begins on January 1, 2021, and</text></clause>

<clause id="H7008FE853FB74566BBB9222B393853FC"><enum>(i)</enum><text>ends immediately before the beginning of the first adjustment year that begins after December 31, 2021.</text></clause></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H64B22132D6744486A5E810E90EB250B0"><enum>(e)</enum><header>Effective date</header><text>The amendments made by this section shall apply to contracts issued after December 31, 2020.<pagebreak/></text></subsection></section></title></division>

<division id="H68B1FE69E0D84C00B51CB118E2E6F3F5" style="OLC" section-style="olc-section-style"><enum>E</enum><header>Continued Assistance to Unemployed Workers</header>

<section id="H013B906A0D0C4E908551BD418AF99D7F" section-type="subsequent-section"><enum>50001.</enum><header>Extension of Federal Pandemic Unemployment Compensation</header>

<subsection id="HE1E4AFD656D44627AEAE6A3924678ED1"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Section 2104(e) of the CARES Act (Public Law 116â€"136) is amended to read as follows: </text>

<quoted-block style="OLC" id="HE165D71A8AA64B1782345AAE66C7DDF8" display-inline="no-display-inline">

<subsection id="HBC31D817F431422C8DB18DC26778253F"><enum>(e)</enum><header>Applicability</header>

<paragraph id="HE74A47911D41410E8A6E964B59657757"><enum>(1)</enum><header>In general</header><text>An agreement entered into under this section shall apply to weeks of unemploymentâ€</text>

<subparagraph id="H8CECA7E693B44BB9B0D7A1D5452C62C3"><enum>(A)</enum><text display-inline="yes-display-inline">beginning after the date on which such agreement is entered into; and</text></subparagraph>

<subparagraph id="H6F887E0594BA47CE935C42A0AEAC9D20"><enum>(B)</enum><text display-inline="yes-display-inline">ending on or before January 31, 2021.</text></subparagraph></paragraph>

<paragraph id="HD9BCE390C52D4204969414DBD8D18951"><enum>(2)</enum><header>Transition rule for individuals remaining entitled to regular compensation as of January 31, 2021</header><text display-inline="yes-display-inline">In the case of any individual who, as of the date specified in paragraph (1) (B), has not yet exhausted all rights to regular compensation under the State law of a State with respect to a benefit year that began before such date, Federal Pandemic Unemployment Compensation shall continue to be payable to such individual for any week beginning on or after such date for which the individual is otherwise eligible for regular compensation with respect to such benefit year.</text></paragraph>

<paragraph id="H830BC2A5F55947C591917EDCE9CBCC15"><enum>(3)</enum><header>Termination</header><text display-inline="yes-display-inline">Notwithstanding any other provision of this subsection, no Federal Pandemic Unemployment Compensation shall be payable for any week beginning after March 31, 2021.</text></paragraph></subsection><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H956259D1A6B4428A90E93CAF5BE4B4C2"><enum>(b)</enum><header>Limitation on application of transition rule</header><text>Section 2104(g) of such Act is amended by inserting <quote>(except for subsection (e) (2))</quote> after <quote>the preceding provisions of this section</quote>. </text></subsection>

<subsection id="H26E990FE6F0E400DBD8C2EB4EC76CE2F"><enum>(c)</enum><header>Disregard of Federal Pandemic Unemployment Compensation for certain purposes</header><text>Section 2104(h) of such Act is amended to read as follows:</text>

<quoted-block style="OLC" id="HA8BEBF46FF3A48159E8AFF94D45E018A" display-inline="no-display-inline">

<subsection id="HF424255A46F84A90A1D908204608B880"><enum>(h)</enum><header>Disregard of Federal Pandemic Unemployment Compensation for purposes of all Federal and Federally assisted programs</header><text display-inline="yes-display-inline">A Federal Pandemic Unemployment Compensation payment shall not be regarded as income and shall not be regarded as a resource for the month of receipt and the following 9 months, for purposes of determining the eligibility of the recipient (or the recipient's spouse or family) for benefits or assistance, or the amount or extent of benefits or assistance, under any Federal program or under any State or local program financed in whole or in part with Federal funds.</text></subsection><after-quoted-block>.</after-quoted-block></subsection></section>

<section id="HF6CC8CD3864E4AB2988A38E31F0ED711"><enum>50002.</enum><header>Extension and benefit phaseout rule for Pandemic Unemployment Assistance</header><text display-inline="no-display-inline">Section 2102(c) of the CARES Act (Public Law 116â€"136) is amendedâ€"</text>

<paragraph id="H01A82611726B4B1DB3C003C72B47B594"><enum>(1)</enum><text>in paragraph (1)â€"</text>

<subparagraph id="HDB5F4AE1179E44FC947B0BD92EB3CF1C"><enum>(A)</enum><text>by striking <quote>paragraph (2)</quote> and inserting <quote>paragraphs (2) and (3)</quote>; and</text></subparagraph>

<subparagraph id="HF83DD54368084F0098736EAD3C9EDCD1"><enum>(B)</enum><text>in subparagraph (A) (ii), by striking <quote>December 31, 2020</quote> and inserting <quote>January 31, 2021</quote>; and</text></subparagraph></paragraph>

<paragraph id="H78295090BF724712B996FA73801C2A39"><enum>(2)</enum><text>by redesignating paragraph (3) as paragraph (4); and</text></paragraph>

<paragraph id="HA98B9991860C4F5B9A07C7A31D295436"><enum>(3)</enum><text>by inserting after paragraph (2) the following:</text>

<quoted-block style="OLC" id="HF096150BD4BE4B29BC0966873BEF7812" display-inline="no-display-inline">

<paragraph id="H0C413ED844114719AC9A61312E7F1635"><enum>(3)</enum><header>Transition rule for individuals remaining entitled to Pandemic Unemployment Assistance as of

January 31, 2021</header>

<subparagraph id="HA94ADFB1720F4BFB93FFAE726062EDB5" display-inline="no-display-inline"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">In the case of any individual who, as of the date specified in paragraph (1)(A)(ii), is receiving Pandemic Unemployment Assistance but has not yet exhausted all rights to such assistance under this section, Pandemic Unemployment Assistance shall continue to be payable to such individual for any week beginning on or after such date for which the individual is otherwise eligible for Pandemic Unemployment Assistance.</text></subparagraph>

<subparagraph id="HAF723C502D344F769D46F05660E7CAC9"><enum>(B)</enum><header>Termination</header><text display-inline="yes-display-inline">Notwithstanding any other provision of this subsection, no Pandemic Unemployment Assistance shall be payable for any week beginning after March 31, 2021.</text></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></paragraph></section>

<section id="HB2EFC4FB936E46448A374E8D6DF3F9F6" display-inline="no-display-inline" section-type="subsequent-section"><enum>50003.</enum><header>Extension and benefit phaseout rule for Pandemic Emergency Unemployment Compensation</header><text display-inline="no-display-inline">Section 2107(g) of the CARES Act (Public Law 116â€"136) is amended to read as follows:</text>

<quoted-block style="OLC" id="H8D934F252A3F4B92B01D8F6486CB81F1" display-inline="no-display-inline">

<subsection id="HFA5B0526C7E54D1D8569DBD622399688"><enum>(g)</enum><header>Applicability</header>

<paragraph id="HAA143A1D119A482F9E7062D595BA265F"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">An agreement entered into under this section shall apply to weeks of unemploymentâ€"</text>

<subparagraph id="HD6F0A0E380C04D2E8609FC9F86111753"><enum>(A)</enum><text display-inline="yes-display-inline">beginning after the date on which such agreement is entered into; and</text></subparagraph>

<subparagraph id="H6D30BA9077D74F6FA2CCC70A6CF3E181"><enum>(B)</enum><text display-inline="yes-display-inline">ending on or before January 31, 2021.</text></subparagraph></paragraph>

<paragraph id="H8B5181A793544BDB964141128DB60AB7"><enum>(2)</enum><header>Transition rule for individuals remaining entitled to Pandemic Emergency Unemployment Compensation as of January 31, 2021</header><text display-inline="yes-display-inline">In the case of any individual who, as of the date specified in paragraph (1)(A)(ii), is receiving Pandemic Emergency Unemployment Compensation but has not yet exhausted all rights to such assistance under this section, Pandemic Emergency Unemployment Compensation shall continue to be payable to such individual for any week beginning on or after such date for which the individual is otherwise eligible for Pandemic Emergency Unemployment Compensation.</text></paragraph>

<paragraph id="H9E2829D329714BBE8BFF6108F34E0900"><enum>(3)</enum><header>Termination</header><text display-inline="yes-display-inline">Notwithstanding any other provision of this subsection, no Pandemic Emergency Unemployment Compensation shall be payable for any week beginning after March 31, 2021.</text></paragraph></subsection><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="HC5CB0FF1DE514894A8330D8411B1E9EA" display-inline="no-display-inline"><enum>50004.</enum><header>Extension of full Federal funding of the first week of compensable regular unemployment for States with no waiting week</header><text display-inline="no-display-inline">Section 2105(e)(2) of the CARES Act (Public Law 116â€"136) is amended by striking <quote>December 31, 2020</quote> and inserting <quote>January 31, 2021</quote>.</text></section>

<section id="H59E96A26F0484F169C72745396655B4B"><enum>50005.</enum><header>Extension of emergency relief and technical corrections for governmental entities and nonprofit organizations</header><text display-inline="no-display-inline">Section 903(i)(1) of the Social Security Act, as added by section 2103 of the CARES Act (Public Law 116â€"136),

is amendedâ€" </text>

<paragraph id="HF83C0C772E044237A8F22A1845C29FA4"><enum>(1)</enum><text>in subparagraph (A), by striking <quote>during the applicable period</quote> and inserting <quote>with respect to the applicable period</quote>; </text></paragraph>

<paragraph id="H1337C23272CA4B968766057572A6C926"><enum>(2)</enum><text>in subparagraph (B), by striking <quote>section 3309(a)(1)</quote> and inserting <quote>section 3309(a)</quote>; </text></paragraph>

<paragraph id="H2503A33C9D764DDA8A4B048295C70135"><enum>(3)</enum><text>in subparagraph (C), by striking <quote>shall be used exclusively</quote> and all that follows through the end and inserting <quote>shall be used exclusively to reduce the amounts required to be paid in lieu of contributions into the State unemployment fund pursuant to such section by governmental entities and other organizations described in section 3309(a) of such Code</quote>; and</text></paragraph>

<paragraph id="HBC8EB0CFE6F240FB8D5838B24896E5D5"><enum>(4)</enum><text>in subparagraph (D), by striking <quote>December 31, 2020</quote> and inserting <quote>January 31, 2021</quote>.</text></paragraph></section>

<section id="HB676869F1F15400FAF338DEACA2BB73C" section-type="subsequent-section" display-inline="no-display-inline"><enum>50006.</enum><header>Reduction of State administrative burden in determination of amount of Pandemic Unemployment Assistance</header><text display-inline="no-display-inline">Section 2102(d) of the CARES Act (Public Law 116â€"136) is amended by adding at the end the following:</text>

<quoted-block style="OLC" display-inline="no-display-inline" id="H55F74648144144CE936A1E915054E693">

<paragraph id="H078BA900484C48288BCB7712038B5111"><enum>(4)</enum><header>State flexibility in establishing income</header><text display-inline="yes-display-inline">In determining the income of an individual for purposes of an application for assistance authorized under subsection (b), a State may rely on such wage and self-employment data as the State may elect, including any applicable data with respect to an individualâ€™s electronically mediated employment.</text></paragraph><after-quoted-block>.</after-quoted-block></section>

<section id="HB650E6A1537D4C2292B4D0C5DB96E4CA"><enum>50007.</enum><header>Extension of temporary assistance for States with advances</header><text display-inline="no-display-inline">Section 1202(b)(10)(A) of the Social Security Act (42 U.S.C. 1322(b)(10)(A)) is amended by striking <quote>December 31, 2020</quote> and inserting <quote>June 30, 2021</quote>.</text></section>

<section id="HCD05BCFC63684B709B41A00B59E35414"><enum>50008.</enum><header>Extension of full Federal funding of extended unemployment compensation</header><text display-inline="no-display-inline">Section 4105 of the Families First Coronavirus Response Act (Public Law 116â€"127) is amended by striking <quote>December 31, 2020</quote> each place it appears and inserting <quote>June 30, 2021</quote>.</text></section>

<section id="H32EC503B4F244F5DABC898FEAC57C141"><enum>50009.</enum><header>Extension of temporary financing of short-time compensation payments in States with programs in law</header><text display-inline="no-display-inline">Section 2108(b)(2) of the CARES Act (Public Law 116â€"136) is amended by striking <quote>December 31, 2020</quote> and inserting <quote>January 31, 2021</quote>.</text></section>

<section id="H4EE08D9B3F87410AA48E73A5A4BF666C"><enum>50010.</enum><header>Extension of temporary financing of short-time compensation agreements</header><text display-inline="no-display-inline">Section 2109(d)(2) of the CARES Act (Public Law 116â€"136) is amended by striking <quote>December 31, 2020</quote> and inserting <quote>January 31, 2021</quote>.</text></section>

<section id="HF3611E86CCA74B86A7E5AC0EA30AE916"><enum>50011.</enum><header>Grace Period for Full Financing of Short-Time Compensation Programs</header><text display-inline="no-display-inline">Section 2108(c) of the CARES Act (Public Law 116â€"136) is amended by striking <quote>shall be eligible</quote> and all that follows through the end and inserting the following:</text>

<quoted-block style="OLC" id="H8ECA6968254F4961B9CDCB2615CA0E5C" display-inline="yes-display-inline"><text display-inline="no-display-inline">shall be eligibleâ€" </text>

<paragraph id="HF6308C9EF8A348E680B258463E3AA15C" display-inline="no-display-inline"><enum>(1)</enum><text display-inline="yes-display-inline">for payments under subsection (a) for weeks of unemployment beginning after the effective date of such enactment; and</text></paragraph>

<paragraph id="H5CC0253171294DE7AB1891C966391D4A"><enum>(2)</enum><text>for an additional payment equal to the total amount of payments for which the State is eligible pursuant to an agreement under section 2109 for weeks of unemployment before such effective date.</text></paragraph><after-quoted-block>.<pagebreak/></after-quoted-block></quoted-block></section></division>

<division id="HD1915CAB00D54DA49796249F17BF6802" section-style="olc-section-style"><enum>F</enum><header>Assistance to Agricultural Producers and Other Matters Relating to Agriculture</header>

<section id="H0BF72D5E81E24917AE8D87B926EDED4C"><enum>60001.</enum><header>Definitions</header><text display-inline="no-display-inline">In this division:</text>

<paragraph id="HAA27730DB9714DEC9E154FB5E3AAE3AF"><enum>(1)</enum><text display-inline="yes-display-inline"><italic/> The term <term>COVIDâ€"19</term> means the disease caused by SARSâ€"CoVâ€"2, or any viral strain mutating therefrom with pandemic potential. </text></paragraph>

<paragraph id="HFEF9CACAA9C6447D879714B24451B108"><enum>(2)</enum><text>The term <term>Secretary</term> means the Secretary of Agriculture.</text></paragraph></section>

<title id="H9445461E1C1D4E209A71EACF28B6395B"><enum>I</enum><header>Livestock </header>

<section id="H04A6E71115E24EB7A9890BF9137A6D58"><enum>60101.</enum><header>Establishment of trust for benefit of unpaid cash sellers of livestock</header><text display-inline="no-display-inline">The Packers and Stockyards Act, 1921, is amended by inserting after section 317 (7 U.S.C. 217a) the following new section:</text>

<quoted-block display-inline="no-display-inline" id="HC5F033828C964651854212534A12BBD0" style="OLC">

<section id="H94887B86E7CD416C992AA184EA6BAD84"><enum>318.</enum><header>Statutory trust established; dealer</header>

<subsection id="HD6229C570EC849C4BB446F2992F47781"><enum>(a)</enum><header>Establishment</header>

<paragraph id="H18992FAE330F47F8AF3DC4CEAF561C37"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">All livestock purchased by a dealer in cash sales and all inventories of, or receivables or proceeds from, such livestock shall be held by such dealer in trust for the benefit of all unpaid cash sellers of such livestock until full payment has been received by such unpaid cash sellers.</text></paragraph>

<paragraph id="H6688D6DFAD264A7BA12E3316F5176D9B"><enum>(2)</enum><header>Exemption</header><text display-inline="yes-display-inline">Any dealer whose average annual purchases of livestock do not exceed \$100,000 shall be exempt from the provisions of this section.</text></paragraph>

<paragraph id="H2BE8E6989CAD4994852F4E806F1C2FF5"><enum>(3)</enum><header>Effect of dishonored instruments</header><text display-inline="yes-display-inline">For purposes of determining full payment under paragraph (1), a payment to an unpaid cash seller shall not be considered to have been made if the unpaid cash seller receives a payment instrument that is dishonored.</text></paragraph></subsection>

<subsection id="H4DE4BB2AE8334521A61DB691CEAE63C0"><enum>(b)</enum><header>Preservation of trust</header><text>An unpaid cash seller shall lose the benefit of a trust under subsection (a) if the unpaid cash seller has not preserved the trust by giving written notice to the dealer involved and filing such notice with the Secretaryâ€"</text>

<paragraph id="H44D7CD0539E2493896770BA9C06D464A"><enum>(1)</enum><text>within 30 days of the final date for making a payment under section 409 in the event that a payment instrument has not been received; or</text></paragraph>

<paragraph id="HF459437F37854D1BB484EB7CF4CCC859"><enum>(2)</enum><text>within 15 business days after the date on which the seller receives notice that the payment instrument promptly presented for payment has been dishonored.</text></paragraph></subsection>

<subsection id="H7BAA37C25EFF460E8F3C38162F93D485"><enum>(c)</enum><header>Notice to lien holders</header><text>When a dealer receives notice under subsection (b) of the unpaid cash seller's intent to preserve the benefits of the trust, the dealer shall, within 15 business days, give notice to all persons who have recorded a security interest in, or lien on, the livestock held in such trust.</text></subsection>

<subsection id="H7C037D3A1A884ABCACA3E38903BF8588"><enum>(d)</enum><header>Cash Sales Defined</header><text>For the purpose of this section, a cash sale means a sale in which the seller does not expressly extend credit to the buyer.</text></subsection>

<subsection id="HEDA2132498ED4AEE98BEAEFCDC1B727F"><enum>(e)</enum><header>Purchase of livestock subject to trust</header>

<paragraph id="H8E26597C80F341DA8DEB2EE302C7AD5D"><enum>(1)</enum><header>In general</header><text>A person purchasing livestock subject to a dealer trust shall receive good title to the livestock if the person receives the livestock's</text>

<subparagraph id="H338104DB6D22458AA16F70400A3FE4D6"><enum>(A)</enum><text>in exchange for payment of new value; and</text></subparagraph>

<subparagraph id="HFD296E2B25F64268A1089856ED0B524C"><enum>(B)</enum><text>in good faith without notice that the transfer is a breach of trust.</text></subparagraph></paragraph>

<paragraph id="H7F2062AE1D6C437CBFBEB83EABC7013F8"><enum>(2)</enum><header>Dishonored payment instrument</header><text>Payment shall not be considered to have been made if a payment instrument given in exchange for the livestock is dishonored.</text></paragraph>

<paragraph id="HED3CD8F7F39D49CCB2C29375667C977A"><enum>(3)</enum><header>Transfer in satisfaction of antecedent debt</header><text>A transfer of livestock subject to a dealer trust is not for value if the transfer is in satisfaction of an antecedent debt or to a secured party pursuant to a security agreement.</text></paragraph></subsection>

<subsection id="H19A381F64BDD4DF39E1FFFCF3D05179B"><enum>(f)</enum><header>Enforcement</header><text>Whenever the Secretary has reason to believe that a dealer subject to this section has failed to perform the duties required by this section or whenever the Secretary has reason to believe that it will be in the best interest of unpaid cash sellers, the Secretary shall do one or more of the following:</text>

<paragraph id="H9639874588B74D6C997FDC05622F64D1"><enum>(1)</enum><text>appoint an independent trustee to carry out the duties required by this section, preserve trust assets, and enforce the trust; </text></paragraph>

<paragraph id="H339652EBB7914801A2A08A05630764EC"><enum>(2)</enum><text>serve as independent trustee, preserve trust assets, and enforce the trust; or</text></paragraph>

<paragraph id="H46479A340D6C4965B58BFC3D3CEACFC0"><enum>(3)</enum><text>file suit in the United States district court for the district in which the dealer resides to enjoin the dealer's failure to perform the duties required by this section, preserve trust assets, and to enforce the trust. Attorneys employed by the Secretary may, with the approval of the Attorney General, represent the Secretary in any such suit. Nothing herein shall preclude unpaid sellers from filing suit to preserve or enforce the trust.</text></paragraph></subsection></section><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="H6B54CAE6568249E6B1FEC105FA9F7B44" section-type="subsequent-section"><enum>60102.</enum><header>Emergency assistance for market-ready livestock and poultry losses</header>

<subsection id="HA777C64DAACF479EBB6A256AD2082965"><enum>(a)</enum><header>In general</header><text>The Secretary shall make payments to covered producers to offset losses related to the intentional depopulation of market-ready livestock and poultry due to insufficient regional processing access related to the COVID-19 public health

emergency, as determined by the Secretary.</text></subsection>

<subsection id="H23FE1CF6659B4CD3B1FF475EE88D218E"><enum>(b)</enum><header>Payment rate for covered producers</header>

<paragraph id="H8943CA1752D84A818A19D8E30135419F"><enum>(1)</enum><header>Payments for first 30-day period</header><text>For a period of 30 days beginning, with respect to a covered producer, on the initial date of depopulation described in subsection (a) of the market-ready livestock or poultry of the covered producer, the Secretary shall reimburse such covered producer for 85 percent of the value of losses as determined under subsection (c).</text></paragraph>

<paragraph id="H8E81970A92764208AA5FCAC249BE2E8A"><enum>(2)</enum><header>Subsequent 30-day periods</header><text>For each 30-day period subsequent to the 30-day period described in paragraph (1), the Secretary shall reduce the value of the losses as determined under subsection (c) with respect to a covered producer by 10 percent.</text></paragraph></subsection>

<subsection id="H8F6AEB63BAD54A2083797B173469FB51"><enum>(c)</enum><header>Valuation</header><text>In calculating the amount of losses for purposes of the payment rates under subsection (b), the Secretary shall use the average fair market value, as determined by the Secretary in collaboration with the Chief Economist of the Department of Agriculture and the Administrator of the Agricultural Marketing Service, for market-ready livestock, where applicable, and market-ready poultry, where applicable, during the period beginning March 1, 2020, and ending on the date of the enactment of this section. In no case shall a payment made under subsection (b) exceed the average market value of market-ready livestock or poultry on the date of depopulation.</text></subsection>

<subsection id="H12CE4387FE524BBFA1C4EF783FD2711B"><enum>(d)</enum><header>Packer-owned animals excluded</header><text display-inline="yes-display-inline">The Secretary may not make payments under this section for the losses of packer-owned animals.</text></subsection>

<subsection id="H64EB4316EDCC4BF58AD7F2434DA13060"><enum>(e)</enum><header>Definitions</header><text>In this section:</text>

<paragraph id="H25769B81D2B04522BAEC79E8F3BCD710"><enum>(1)</enum><header>Covered producer</header><text>The term <term>covered producer</term> means a person or legal entity that assumes the production and market risks associated with the agricultural production of livestock and poultry (as such terms are defined in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 183(a)).</text></paragraph>

<paragraph id="HA1E8D288022E4DC7B53F40E7D4E6A7EC"><enum>(2)</enum><header>Packer</header><text>The term <term>packer</term> has the meaning given the term in section 201 of the Packers and Stockyards Act, 1921 (7 U.S.C. 191).</text></paragraph>

<paragraph id="HE5C74D80143D4D879B72FFE540DBBA65"><enum>(3)</enum><header>Secretary</header><text>The term <term>Secretary</term> means the Secretary of Agriculture.</text></paragraph></subsection>

<subsection id="H9EC4494A30D14CE49E0EAB8CDB749888"><enum>(f)</enum><header>Funding</header><text display-inline="yes-display-inline">There is appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this section.</text></subsection></section>

<section id="H85F8C6DA03CB4E52B00436614E69FC43"><enum>60103.</enum><header>Animal disease prevention and management response</header><text display-inline="no-display-inline">Out of any amounts in the Treasury not otherwise appropriated, there is appropriated to carry out section 10409A of the Animal Health Protection Act (7 U.S.C. 8308A) \$300,000,000, to remain available until expended. </text></section></title>

<title id="HBD6C8E3A730143AB93651ED09510D07D"><enum>II</enum><header>Dairy</header>

<section id="HEA8E63223D9E4411BFE59E7B23318E89"><enum>60201.</enum><header>Dairy direct donation program</header>

<subsection

id="H0D4024C46DA2450A8307A062958DB5BC"><enum>(a)</enum><header>Definitions</header><text>In this section:</text>

<paragraph id="H86A5740DD724407992EBCE8DD2082574"><enum>(1)</enum><header>Eligible dairy organization</header><text>The term <term>eligible dairy organization</term> is defined in section 1431(a) of the Agricultural Act of 2014 (7 U.S.C. 9071(a)).</text></paragraph>

<paragraph id="HF2F1860469C148B09745DAD794070380"><enum>(2)</enum><header>Eligible distributor</header><text>The term <term>eligible distributor</term> means a public or private nonprofit organization that distributes donated eligible dairy products to recipient individuals and families.</text></paragraph>

<paragraph id="H92DA7BCB73354437B7894DA16DD24702"><enum>(3)</enum><header>Eligible dairy products</header><text>The term <term>eligible dairy products</term> means products primarily made from milk produced and processed within a Federal Milk Marketing Order.</text></paragraph>

<paragraph id="H125A9ADA84C3427981433B1C8DBA819D"><enum>(4)</enum><header>Eligible partnership</header><text>The term <term>eligible partnership</term> means a partnership between an eligible dairy organization and an eligible distributor.</text></paragraph></subsection>

<subsection

id="H2B17CE73D7A14B6B95E096F34097683B"><enum>(b)</enum><header>Establishment and purposes</header><text>Not later than 45 days after the enactment of this Act, the Secretary shall establish and administer a direct dairy donation program for the purposes ofâ€"</text>

<paragraph id="H9501C1589D4241438C1FEAAD07D564D7"><enum>(1)</enum><text>facilitating the timely donation of eligible dairy products and</text></paragraph>

<paragraph id="H8EBEF6AD401A40D8871FD68C6AA7286A"><enum>(2)</enum><text>preventing and minimizing food waste.</text></paragraph></subsection>

<subsection id="H0E2D622574794D3091D8B94E799883D6"><enum>(c)</enum><header>Donation and distribution plans</header>

<paragraph id="H7AF0BE03B0774D2FB548408DAA925B02"><enum>(1)</enum><header>In general</header><text>To be eligible to receive reimbursement under this section, an eligible partnership shall submit to the Secretary a donation and distribution plan that describes the process that the eligible partnership will use for the donation, processing, transportation, temporary storage, and distribution of eligible dairy products.</text></paragraph>

<paragraph id="HC481F4E8A9B94F0BA09AA802E873C35A"><enum>(2)</enum><header>Review and approval</header><text>No later than 15 business days after receiving a plan described in paragraph (1), the Secretary shallâ€"</text>

<subparagraph id="HAA583C3772E24CB59FEB3B308B3ABD41"><enum>(A)</enum><text>review such plan; and</text></subparagraph>

<subparagraph id="HFC772ED2FBE843DBA675DFC31D54C294"><enum>(B)</enum><text>issue an approval or disapproval of such plan.</text></subparagraph></paragraph></subsection>

<subsection

id="H8BB626A078F641C8B1AC59D903255D46"><enum>(d)</enum><header>Reimbursement</header>

<paragraph id="H5B13BDEACD43430EA4F6F581F680D981"><enum>(1)</enum><header>In general</header><text>On receipt of appropriate documentation under paragraph (2), the Secretary shall reimburse an eligible dairy organization at a rate equal to the current Class I milk price multiplied by the volume of milk required to make the donated product.</text></paragraph>

<paragraph id="HC1ECBAA238EB4A6BAB0C84766E8722AE"><enum>(2)</enum><header>Special case</header><text>In the case of donated Class I products, the Secretary shall reimburse an eligible dairy organization at a rate equal to the current Class I milk price plus 5 percent multiplied by the volume of milk required to make the donated Class I product.</text></paragraph>

<paragraph

id="H31F3F9953A1945F58E407CA5FB170984"><enum>(3)</enum><header>Documentation</header>

<subparagraph id="HD43FD720EC384098BF47DA084CFBDC54"><enum>(A)</enum><header>In general</header><text>An eligible dairy organization shall submit to the Secretary such documentation as the Secretary may require to demonstrate the eligible dairy product production and donation to the eligible distributor.</text></subparagraph>

<subparagraph id="HA2F0ADABB2FC4042B3635FE106C5DFB4"><enum>(B)</enum><header>Verification</header><text>The Secretary may verify the accuracy of documentation submitted.</text></subparagraph></paragraph>

<paragraph id="H559044FB4E614EED903FE8DD7D4055D1"><enum>(3)</enum><header>Retroactive reimbursement</header><text>In providing reimbursements under paragraph (1), the Secretary may provide reimbursements for milk costs incurred before the date on which the donation and distribution plan for the applicable participating partnership was approved by the Secretary.</text></paragraph></subsection>

<subsection id="H91BC5E8DE6C94D4AA5307489097BB2D9"><enum>(e)</enum><header>Prohibition on resale of products</header>

<paragraph id="H57F1EAA352794C22A9899D12C6446FD0"><enum>(1)</enum><header>In general</header><text>An eligible distributor that receives eligible dairy products donated under this section may not sell the products into commercial markets.</text></paragraph>

<paragraph id="H116F56CF60DB4BFA932AA371AAE390FD"><enum>(2)</enum><header>Prohibition on future participation</header><text>An eligible distributor that the Secretary determines has violated paragraph (1) shall not be eligible for any future participation in the program established under this section.</text></paragraph></subsection>

<subsection id="HE2AE9F88FEA646CBA99E6EA1CF5733A8"><enum>(f)</enum><header>Reviews</header><text>The Secretary shall conduct appropriate reviews or audits to ensure the integrity of the program established under this section.</text></subsection>

<subsection id="HFC741469ADFA430D94085BBB6D47FE3E"><enum>(g)</enum><header>Publication of donation activity</header><text>The Secretary, acting through the Agricultural Marketing Service, shall publish on the publicly accessible website of such agency periodic reports containing donation activity under this section.</text></subsection>

<subsection id="H49AC76C278284D0AA2F3A61DCB453D70"><enum>(h)</enum><header>Supplemental reimbursements</header>

<paragraph id="HFB64E7475E1A40ECA0D05D316D0B8696"><enum>(1)</enum><header>In general</header><text>The Secretary may make a supplemental reimbursement to an eligible dairy organization for an approved donation and distribution plan in accordance with the milk donation program established under section 1431 of the Agricultural Act of 2014 (7 U.S.C. 9071).</text></paragraph>

<paragraph id="H32B58202A6B6419F9A35AAAF789D4B66"><enum>(2)</enum><header>Reimbursement calculation</header><text>A supplemental reimbursement described in paragraph (1) shall be equal to the value ofâ€"</text>

<subparagraph id="HD86451A0A4684FC7B03D53750AEA026C"><enum>(A)</enum><text>the sum ofâ€"</text>

<clause id="HE6704E833E48457EAE8A82BECEA89621"><enum>(i)</enum><text>the Class IV milk price for the applicable month, plus</text></clause>

<clause id="H74D3F14391B6415EA09A9BA226E0A2CE"><enum>(ii)</enum><text>5 percent of the Class I price for the applicable month, multiplied by</text></clause></subparagraph>

<subparagraph id="H52BDDAEA009245F2AF715617C1B3F68A"><enum>(B)</enum><text display-inline="yes-display-inline">the volume of eligible milk under such approved donation plan. </text></subparagraph></paragraph></subsection>

<subsection id="H1A2500463ECB47B3824F3D6FAF844BB1"><enum>(i)</enum><header>Funding</header><text>Out of the amounts of the Treasury not otherwise appropriated, the Secretary shall use to carry out this section \$500,000,000 to remain available until

expended.</text></subsection></section>

<section id="HD0EBE2CDDC83475485A10AAD166E92CC" section-type="subsequent-section"><enum>60202.</enum><header>Supplemental dairy margin coverage payments</header>

<subsection id="H3E2C101EB9354E018F9867E24AD0D2E6"><enum>(a)</enum><header>In general</header><text>The Secretary shall provide supplemental dairy margin coverage payments to eligible dairy operations described in subsection (b)(1) whenever the average actual dairy production margin (as defined in section 1401 of the Agricultural Act of 2014 (7 U.S.C. 9051)) for a month is less than the coverage level threshold selected by such eligible dairy operation under such section 1406.</text></subsection>

<subsection id="HAA1769DA12284FC0958A3830C8001A28" commented="no"><enum>(b)</enum><header>Eligible dairy operation described</header>

<paragraph id="HB1CA22348C514F77851534975B706BCE" commented="no"><enum>(1)</enum><header>In general</header><text>An eligible dairy operation described in this subsection is a dairy operation thatâ€

<subparagraph id="HCF0E79A30B864108863E51AF49A79AA4" commented="no"><enum>(A)</enum><text>is located in the United States; and</text></subparagraph>

<subparagraph id="HEDCAEB46641340F898202BBB2692E5FA" commented="no"><enum>(B)</enum><text>during a calendar year in which such dairy operation is a participating dairy operation (as defined in section 1401 of the Agricultural Act of 2014 (7 U.S.C. 9051)), has a production history established under the dairy margin coverage program under section 1405 of the Agricultural Act of 2014 (7 U.S.C. 9055) of less than 5 million pounds, as determined in accordance with subsection (c) of such section 1405.</text></subparagraph></paragraph>

<paragraph id="HB3A6ED7445494FD0B1CC384AB2E99C03" commented="no"><enum>(2)</enum><header>Limitation on eligibility</header><text display-inline="yes-display-inline">An eligible dairy operation shall only be eligible for payments under this section during a calendar year in which such eligible dairy operation is enrolled in the dairy margin coverage (as defined in section 1401 of the Agricultural Act of 2014 (7 U.S.C. 9051)). </text></paragraph></subsection>

<subsection id="HB5B583A0FB6E49F0BDCBD1AB5BD02C6E"><enum>(c)</enum><header>Supplemental production history calculation</header><text>For purposes of determining the production history of an eligible dairy operation under this section, such dairy operationâ€™s production history shall be equal toâ€

<paragraph id="H9CC14021A77E41B88F5B9914EE363B89"><enum>(1)</enum><text>the production volume of such dairy operation for the 2019 milk marketing year; minus</text></paragraph>

<paragraph id="H28CAE5ACC8EE41EE80833DFC8E1F13AB"><enum>(2)</enum><text>the dairy margin coverage production history of such dairy operation established under section 1405 of the Agricultural Act of 2014 (7 U.S.C. 9055).</text></paragraph></subsection>

<subsection id="H88B9B70478234E01911991A09F6816E5"><enum>(d)</enum><header>Coverage percentage</header>

<paragraph id="HB71175F4D60A4D6A897F38A7FD1A1670"><enum>(1)</enum><header>In general</header><text>For purposes of calculating payments to be issued under this section during a calendar year, an eligible dairy operationâ€™s coverage percentage shall be equal to the coverage percentage selected by such eligible dairy operation with respect to such calendar year under section 1406 of the Agricultural Act of 2014 (7 U.S.C. 9056).</text></paragraph>

<paragraph id="H0CDC3C3ABD844190BFE70576E8E895D7"><enum>(2)</enum><header>5-million pound limitation</header>

<subparagraph id="H6AEAB6B0C06146A8A7DD07C7F1554E63"><enum>(A)</enum><header>In general</header><text>The Secretary shall not provide supplemental dairy margin coverage on an eligible dairy operationâ€™s actual production for a calendar year such that the total covered production history of such dairy operation exceeds 5 million pounds.</text></subparagraph>

<subparagraph id="HFCCA110F3B5E4696A602E92200BDCD05"><enum>(B)</enum><header>Determination of amount</header><text>In calculating the total covered production history of an eligible dairy operation under subparagraph (A), the Secretary shall multiply the coverage percentage selected by such operation under section 1406 of the Agricultural Act of 2014 (7 U.S.C. 9056) by the sum ofâ€"</text>

<clause id="HE89A0B542CA0401A8439331D8EB69232"><enum>(i)</enum><text>the supplemental production history calculated under subsection (c) with respect to such dairy operation; and</text></clause>

<clause id="HE8E8FEB4A2064F278B97702D2C65B58D"><enum>(ii)</enum><text>the dairy margin coverage production history described in subsection (c) (2) with respect to such dairy operation.</text></clause></subparagraph></paragraph></subsection>

<subsection id="HAF1F3E145A1D4E24AF993E8AB164F854"><enum>(e)</enum><header>Premium cost</header><text>The premium cost for an eligible dairy operation under this section for a calendar year shall be equal to the product of multiplyingâ€"</text>

<paragraph id="HB8223F5655CE4533BD7610D0F1547DF1"><enum>(1)</enum><text>the Tier I premium cost calculated with respect to such dairy operation for such year under section 1407(b) of the Agricultural Act of 2014 (7 12 U.S.C. 9057(b)); by</text></paragraph>

<paragraph id="H07FB49B4FFC74A109B18DE15DC9F86A4"><enum>(2)</enum><text>the production history calculation with respect to such dairy operation determined under subsection (c) (such that total covered production history does not exceed 5 million pounds).</text></paragraph></subsection>

<subsection id="HEE2B757F372D480FA5F48234678E7136"><enum>(f)</enum><header>Regulations</header><text>Not later than 45 days after the date of the enactment of this section, the Secretary shall issue regulations to carry out this section.</text></subsection>

<subsection id="H322925FDE1C443FD8B2315EAFBD2637E"><enum>(g)</enum><header>Prohibition with respect to dairy margin coverage enrollment</header><text display-inline="yes-display-inline">The Secretary may not reopen or otherwise provide a special enrollment for dairy margin coverage (as defined in section 1401 of the Agricultural Act of 2014 (7 U.S.C. 9051)) for purposes of establishing eligibility for supplemental dairy margin coverage payments under this section.</text></subsection>

<subsection id="H54AD8290096D4E8584AD61A40B81CFD4"><enum>(h)</enum><header>Retroactive application for calendar year 2020</header><text display-inline="yes-display-inline">The Secretary shall make payments under this section to eligible dairy operations described in subsection (b) (1) for months after and including January, 2020.</text></subsection>

<subsection id="HC8AEEEF6F9CF4471B49555065DFBAD86"><enum>(i)</enum><header>Sunset</header><text>The authority to make payments under this section shall terminate on December 31, 2023.</text></subsection>

<subsection id="HA6B952F254994BE59C5989C56ED5BD13"><enum>(j)</enum><header>Funding</header><text display-inline="yes-display-inline">Out of any amounts in the Treasury not otherwise appropriated, there are made available such sums as may be necessary to carry out this program.</text></subsection></section>

<section id="H5C722780FE784CD7869F764B083237D6"><enum>60203.</enum><header>Recourse loan program for commercial processors of dairy products</header>

<subsection id="H9BE461B923A54A40979BC2DF989110EF"><enum>(a)</enum><header>In general</header><text>The Secretary shall make recourse loans available to qualified applicants during the COVIDâ€"19 pandemic.</text></subsection>

<subsection id="H12C7A8761A3C4910BBB378077B10D418"><enum>(b)</enum><header>Amount of loan</header>

<paragraph id="H2144F82D7DFC4F45AA5D5AB5759AAD33"><enum>(1)</enum><header>In general</header><text>A recourse loan made under this section shall be provided to qualified applicants up to the value of the eligible dairy product inventory of the

applicant as determined by the Secretary and consistent with subsection (c).</text></paragraph>

<paragraph id="H1AE5733B1295444990527ACA1A7176C2"><enum>(2)</enum><header>Valuation</header><text>For purposes of making recourse loans under this section, the Secretary shall conduct eligible dairy product valuations to provide, to the maximum extent practicable, funds to continue the operations of qualified applicants.</text></paragraph></subsection>

<subsection id="HECABF836F4094A30AA525E65885B5DDB"><enum>(c)</enum><header>Inventory used as collateral</header><text>Eligible dairy product inventory used as collateral for the recourse loan program under this section shall be pledged on a rotating basis to prevent spoilage of perishable products.</text></subsection>

<subsection id="H1B759A99F4C24CA2B796CA2ABB98E915"><enum>(d)</enum><header>Term of loan</header><text>A recourse loan under this section may be made for a period as determined by the Secretary, except that no such recourse loan may end after the date that is 24 months after the date of the enactment of this section.</text></subsection>

<subsection id="H6D874CBAC4464B22A266B9803F0C4F71"><enum>(e)</enum><header>Funding and authorities</header><text display-inline="yes-display-inline">Out of any amounts in the Treasury not otherwise appropriated, there is made available \$500,000,000 to carry out this section.</text></subsection>

<subsection id="HD26C3E86BA47416CB392BBCF3F9F8148"><enum>(f)</enum><header>Definitions</header><text display-inline="yes-display-inline">In this section:</text>

<paragraph id="H3D9CD56682C6466D88CA60E9B6EAE43C"><enum>(1)</enum><header>Eligible dairy products</header><text>The term <term>eligible dairy products</term> means all dairy products whether in base commodity or finished product form.</text></paragraph>

<paragraph id="HC5B86DA4F4164AFE9B2EF76B5F494235"><enum>(2)</enum><header>Qualified applicant</header><text>The term <term>qualified applicant</term> means any commercial processors, packagers, merchants, marketers, wholesalers, and distributors of eligible dairy products impacted by COVIDâ€"19.</text></paragraph></subsection></section>

<section id="H1C0BA590967E4DB881CBD4F282F70C87"><enum>60204.</enum><header>Dairy margin coverage premium discount for 3-year signup</header><text display-inline="no-display-inline">The Secretary shall provide a 15 percent discount for the premiums described in subsections (b) and (c) of section 1407 of the Agricultural Act of 2014 (7 U.S.C. 9051) and the premium described in section 60202(e) for a dairy operation (as defined in 1401 of such Act (7 U.S.C. 9051)) that makes a 1-time, three-year election to enroll in dairy margin coverage under part I of subtitle D of such Act for calendar years 2021 through 2023.</text></section></title>

<title id="H47A01CFEFB8B4A379B8C92B8447E8B55"><enum>III</enum><header>Specialty Crops and Other Commodities</header>

<section id="H011CE75C8F7640F4B11C915D081A8278"><enum>60301.</enum><header>Support for specialty crop sector</header><text display-inline="no-display-inline">Section 101(1) of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note) is amended by adding at the end the following:</text>

<quoted-block style="OLC" id="H2C18C3D09D5647E69B00AE0436A207BC" display-inline="no-display-inline">

<paragraph id="H96156F972199474E8077098F7EFACC35"><enum>(3)</enum><header>COVIDâ€"19 outbreak relief</header>

<subparagraph id="HD1A9DE59419B4EF484E8F658820A163D"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary shall make grants to States eligible to receive a grant under this section to assist State efforts to support the specialty crop sector for impacts related to the COVIDâ€"19 public health emergency.</text></subparagraph>

<subparagraph id="H14F613FE171C43ED983E0ABBAB33117A"><enum>(B)</enum><header>Funding</header><text display-inline="yes-display-inline">There is appropriated, out of any funds in the Treasury not otherwise appropriated, to carry out subparagraph (A) not less than \$100,000,000, to remain available until

expended.</text></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="H66ED53FA65AF4F45A09B50409309CFD3"><enum>60302.</enum><header>Support for local agricultural markets</header><text display-inline="no-display-inline">Section 210A(i) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1627c(d)) is amended by adding at the end the following: </text>

<quoted-block style="OLC" id="H9C6E856EE2004D01A0774FD6C1D9255C" display-inline="no-display-inline">

<paragraph id="HCBFB7AADC1A4424CA05025E99F225EA1"><enum>(4)</enum><header>Grants for COVID-19 losses</header>

<subparagraph id="H1EB3C7B801C64C47832C55FBA01D7CE3"><enum>(A)</enum><header>In general</header><text display-inline="yes-display-inline">In addition to grants made under the preceding provisions of this subsection, the Secretary shall make grants to eligible entities specified in subsection (d) (6) (B) to provide assistance in response to the COVID-19 pandemic.</text></subparagraph>

<subparagraph id="H04E01514EC5B45CDBF585DCE5B170030"><enum>(B)</enum><header>Matching funds applicability</header><text display-inline="yes-display-inline">The Secretary may not require a recipient of a grant under subparagraph (A) to provide any nonFederal matching funds. </text></subparagraph>

<subparagraph id="H16ABA6BEC2DF4E76A02A2251C255B41A"><enum>(F)</enum><header>Funding</header><text display-inline="yes-display-inline">There is appropriated, out of any funds in the Treasury not otherwise appropriated, to carry out this paragraph, \$50,000,000, to remain available until expended. </text></subparagraph></paragraph><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="H786B113FDC434E77AC5681FA03DB8DAC"><enum>60303.</enum><header>Support for farming opportunities training and outreach</header><text display-inline="no-display-inline">Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended by adding at the end the following: </text>

<quoted-block style="OLC" id="H9851C0EB7B9440DE9E57A28FC61CD18A" display-inline="no-display-inline">

<subsection id="H499C364FCEA44289A22FAE9C5F3B8BB7"><enum>(m)</enum><header>Additional funding</header>

<paragraph id="H9C1DADA2D2044CADBD4235EF190A3078"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary shall make grants to, or enter into cooperative agreements or contracts with, eligible entities specified in subsection (c) (1) to provide training, outreach, and technical assistance on operations, financing, and marketing to beginning farmers and ranchers, socially disadvantaged farmers and ranchers, and veteran farmers and ranchers.</text></paragraph>

<paragraph id="H089D32D62A2D4E08B03BA272AF92143F"><enum>(2)</enum><header>Matching funds applicability</header><text>The Secretary may not require a recipient of a grant under this subsection to provide any nonFederal matching funds.</text></paragraph>

<paragraph id="HA330C2DFDA9841B99F3DDB86F8E49915"><enum>(3)</enum><header>Funding</header><text display-inline="yes-display-inline">There is appropriated, out of any funds in the Treasury not otherwise appropriated, to carry out this subsection, \$50,000,000, to remain available until expended. </text></paragraph></subsection><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="H42D32135787A42CDBF3F423614C7444B"><enum>60304.</enum><header>Support for farm stress programs</header>

<subsection id="HDB0F406BA179430A9A9D5694E6AD14DA"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary shall make grants to State departments of agriculture (or such equivalent department) to expand or sustain stress assistance programs for individuals who are engaged in farming, ranching, and other agriculture-related occupations, including</text>

<paragraph id="H2933A31BBFDC49449F8681BAA53F6DE6"><enum>(1)</enum><text>programs that meet the criteria specified in section 7522(b)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5936(b)(1)); and</text></paragraph>

<paragraph id="H1DBC6E6D451C4E8D88EC2BB4BF423245"><enum>(2)</enum><text>any State initiatives carried out as of the date of the enactment of this Act that provide stress assistance for such individuals. </text></paragraph></subsection>

<subsection id="HC65DC2B5441A4E6DA3D844A20B12B8B2"><enum>(b)</enum><header>Grant timing and amount</header><text display-inline="yes-display-inline">In making grants under subsection (a), not later than 60 days after the date of the enactment of this Act and subject to subsection (c), the Secretary shallâ€" </text>

<paragraph id="H8362780682EA4B01BDED27B8E00F8140"><enum>(1)</enum><text>make awards to States submitting State plans that meet the criteria specified in paragraph (1)(A) of such subsection within the time period specified by the Secretary, in an amount not to exceed, \$500,000 for each State; and</text></paragraph>

<paragraph id="H9B7A89E99AE949979D7BB04392A238F9"><enum>(2)</enum><text>of the amounts made available under subsection (f), allocate among such States, an amount to be determined by the Secretary.</text></paragraph></subsection>

<subsection id="HC51D61746C33472B8C3E61EE0624B28A"><enum>(c)</enum><header>State plan</header>

<paragraph id="H41B983DB33AD4DDD9F300675DE420C63"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">A State department of agriculture seeking a grant under subsection (b) shall submit to the Secretary a State plan to initiate, expand, or sustain stress assistance programs described in subsection (a) that includesâ€" </text>

<subparagraph id="H70EDFDF96EC14411A255E8760F668067"><enum>(A)</enum><text>a description of each activity and the estimated amount of funding to support each program and activity carried out through such a program;</text></subparagraph>

<subparagraph id="HEB5DE8FD61634AED8B1501F49B6CA8A6"><enum>(B)</enum><text>an estimated timeline for the operation of each such program and activity; </text></subparagraph>

<subparagraph id="H8A04156BF1FF454EB72FAB233C793427"><enum>(C)</enum><text>the total amount of funding sought; and </text></subparagraph>

<subparagraph id="HFCD06C30173F4A8B8BA2F0955B927F35"><enum>(D)</enum><text>an assurance that the State department of agriculture will comply with the reporting requirement under subsection (e). </text></subparagraph></paragraph>

<paragraph id="H79B71B4623854318BB6B42A8E4B0C7DF"><enum>(2)</enum><header>Guidance</header><text display-inline="yes-display-inline">Not later than 20 days after the date of the enactment of this Act, the Secretary shall issue guidance for States with respect to the submission of a State plan under paragraph (1) and the allocation criteria under subsection (b). </text></paragraph>

<paragraph id="HDA06476D7B5D46B9B227565AD70B9F7E"><enum>(3)</enum><header>Reallocation</header><text>If, after the first grants are awarded pursuant to allocation under subsection (b), any funds made available under subsection (f) to carry out this subsection remain unobligated, the Secretary shallâ€" </text>

<subparagraph id="HF1E2384685D3478684BE92EDD356D2F5"><enum>(A)</enum><text display-inline="yes-display-inline">inform States that submit plans as described in subsection (b), of such availability; and</text></subparagraph>

<subparagraph id="H80B63F4A46A7402AB109837BC55C9218"><enum>(B)</enum><text>reallocate such funds among such States, as the Secretary determines to be appropriate and equitable.</text></subparagraph></paragraph></subsection>

<subsection id="H7D4873D541A44C269C3EF3594F64C2A7"><enum>(d)</enum><header>Collaboration</header><text display-inline="yes-display-inline">The Secretary may issue guidance to encourage State departments of agriculture to use funds provided under this section to support programs described in subsection (a) that are operated byâ€" </text>

<paragraph id="HA95D32461BCD4A59B716AD32F48FFC72"><enum>(1)</enum><text>Indian tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));</text></paragraph>

<paragraph id="HF561B31EB4314802BF37C1B1272F1B5A"><enum>(2)</enum><text>State cooperative extension services; and</text></paragraph>

<paragraph id="H7318821CF930426A8D69F8ABCB337D84"><enum>(3)</enum><text>nongovernmental organizations.</text></paragraph></subsection>

<subsection id="HF39B1F98BBDB45BBBFF19552C17B1864"><enum>(e)</enum><header>Reporting</header><text>Not later than 180 days after the public health emergency declared under section 319 of the Public Health Services Act (42 U.S.C. 247d) on January 31, 2020, is terminated, each State receiving additional grants under subsection (b) shall submit a report to the Secretary describingâ€</text>

<paragraph id="HF04BF6893CB74F5DB75E4172DABF7374"><enum>(1)</enum><text>the activities conducted using such funds;</text></paragraph>

<paragraph id="H8D5C2EB70BDB43D2B443361C94659A12"><enum>(2)</enum><text>the amount of funds used to support each such activity; and</text></paragraph>

<paragraph id="HB39B0AC8E906477A81105DC851CA2D97"><enum>(3)</enum><text>the estimated number of individuals served by each such activity.</text></paragraph></subsection>

<subsection id="HB26B6861A873407190D68A8F5D16EE6E"><enum>(f)</enum><header>Funding</header><text>Out of any money not otherwise appropriated, there is appropriated to carry out this section \$28,000,000, to remain available until expended. </text></subsection>

<subsection id="H22A4D50B0A1847B8B13F897F11B0D989"><enum>(g)</enum><header>State defined</header><text>In this section, the term <term>State</term> meansâ€</text>

<paragraph id="H5997A1A9B69D41E9BC1CB9EEE768AE5A"><enum>(1)</enum><text>a State;</text></paragraph>

<paragraph id="HC992E7FF84A24C35A0BAC7BC736B70D3"><enum>(2)</enum><text>the District of Columbia;</text></paragraph>

<paragraph id="HB419ED1CDEF4496DAB7EDC2753AC0693"><enum>(3)</enum><text>the Commonwealth of Puerto Rico; and</text></paragraph>

<paragraph id="H68DDFEBF496A406C9E40384FFE517CE6"><enum>(4)</enum><text>any other territory or possession of the United States.</text></paragraph></subsection></section>

<section id="H3DA385E4B8E844F6837FA72780F1F111"><enum>60305.</enum><header>Support for processed commodities</header>

<subsection id="H6BC9B17EE70A4CECAE1F5B449B3F98DB"><enum>(a)</enum><header>Renewable fuel reimbursement program</header>

<paragraph id="H3273B33119D64A53B52259656B657D81"><enum>(1)</enum><header>In general</header><text>The Secretary shall make payments in accordance with this subsection to eligible entities that experienced unexpected market losses as a result of the COVIDâ€19 pandemic during the applicable period. </text></paragraph>

<paragraph id="H914650181E0C495CA242C59FFEB58231"><enum>(2)</enum><header>Definitions</header><text>In this section:</text>

<subparagraph id="H4041C4BC8CAC43208ECD391D52556000"><enum>(A)</enum><header>Applicable period</header><text display-inline="yes-display-inline">The term <term>applicable period</term> means January 1, 2020, through May 1, 2020.</text></subparagraph>

<subparagraph id="H3C358638800543AFB01B1A4CE2ED38D3"><enum>(B)</enum><header>Eligible entity</header><text>The term <term>eligible entity</term> means any domestic entity or facility that produced any qualified fuel in the calendar year 2019.</text></subparagraph>

<subparagraph id="H484FA454BEE344D5AB40ECF0B99063E5"><enum>(C)</enum><header>Qualified fuel</header><text display-inline="yes-display-inline">The term <term>qualified

fuel</term> means any renewable fuel or advanced biofuel (as such terms are defined in section 211(o)(1) of the Clean Air Act), including renewable fuel from corn starch feedstock.</text></subparagraph></paragraph>

<paragraph id="H0527660B31674B599CABA4809375839A"><enum>(3)</enum><header>Amount of payment</header><text>The amount of the payment payable to an eligible entity shall be the sum ofâ€"</text>

<subparagraph id="H8AF7713103134FAC81A9A543E376E488"><enum>(A)</enum><text>\$0.45 multiplied by the number of gallons of qualified fuel produced by the eligible entity during the applicable period; and</text></subparagraph>

<subparagraph id="HA854243BDE084FAC9392126EB1E9742C"><enum>(B)</enum><text display-inline="yes-display-inline">if the Secretary determines that the eligible entity was unable to produce any qualified fuel throughout 1 or more calendar months during the applicable period due to the COVIDâ€"19 pandemic, \$0.45 multiplied by 50 percent of the number of gallons produced by the eligible entity in the corresponding month or months in calendar year 2019.</text></subparagraph></paragraph>

<paragraph id="HD7EF1FCB78B84E479B71EEAF6B414387"><enum>(4)</enum><header>Report</header><text>Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the payments made under this subsection, including the identity of each payment recipient and the amount of the payment paid to the payment recipient.</text></paragraph>

<paragraph id="H3A9F7987FB294D7DBCC09A58A94A6E2E"><enum>(5)</enum><header>Funding</header><text display-inline="yes-display-inline">There is made available, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary for payments to eligible entities under this subsection.</text></paragraph>

<paragraph id="HCF30D23B2805419EBC89ECA9DAD4B293"><enum>(6)</enum><header>Administration</header>

<subparagraph id="HA1C8769FD1484FDD9E024C79EB1CBDCB"><enum>(A)</enum><header>In general</header><text>The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this subsection. </text></subparagraph>

<subparagraph id="H507DE2761DF24D05A00DBAC0A2AC9374"><enum>(B)</enum><header>Regulations</header>

<clause id="HDFB7633CC8AC423B9CBEC63F84697C6A"><enum>(i)</enum><header>In general</header><text>Except as otherwise provided in this subsection, not later than 30 days after the date of the enactment of this Act, the Secretary and the Commodity Credit Corporation, as appropriate, shall prescribe such regulations as are necessary to carry out this subsection.</text></clause>

<clause id="HB908AC4BE57F464FB16A32EF5BB8F088"><enum>(ii)</enum><header>Procedure</header><text>The promulgation of regulations under, and administration of, this subsection shall be made without regard toâ€"</text>

<subclause id="HCEEE25D5A42A403293EF33588B5FF552"><enum>(I)</enum><text>the notice and comment provisions of section 553 of title 5, United States Code; and</text></subclause>

<subclause id="H06F1CAD11D7A4BF99F459EF4875D7605"><enum>(II)</enum><text>chapter 35 of title 44, United States Code (commonly known as the <quote>Paperwork Reduction Act</quote>).</text></subclause></clause></subparagraph></paragraph></subsection>

<subsection id="HC3BA48468B2C40A39D136326513F4030"><enum>(b)</enum><header>Emergency assistance for textile mills</header>

<paragraph id="H1BF4F5A6FAA24143B54C13BA507DB6CC"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary shall make emergency assistance available to domestic users of upland cotton and extra long staple cotton in the form of a payment in an amount determined under paragraph (2), regardless of the origin of such upland cotton or extra long staple cotton, during the 10-month period beginning on March 1, 2020.</text></paragraph>

<paragraph id="H8C49224A47C24A85A2C5510E05E76D3B"><enum>(2)</enum><header>Calculation of assistance</header><text display-inline="yes-display-inline">The amount of the assistance provided under paragraph (1) to a domestic user described in such paragraph shall be equal to 10 multiplied by the product ofâ€" </text>

<subparagraph id="H3D6333985627430E8B25301E0BEA8B76"><enum>(A)</enum><text display-inline="yes-display-inline">the domestic userâ€™s historical monthly average consumption; and</text></subparagraph>

<subparagraph id="HD2A2DE55E8374E9AB3FB8D7C469A6643"><enum>(B)</enum><text>6 cents per pound so consumed. </text></subparagraph></paragraph>

<paragraph id="H68A5CAA9DC4D4FC18359CD103E5C3BB3"><enum>(3)</enum><header>Allowable use</header><text display-inline="yes-display-inline">Any emergency assistance provided under this section shall be made available only to domestic users of upland cotton and extra long staple cotton that certify that the assistance shall be used only for operating expenses.</text></paragraph>

<paragraph id="H3C5EC5552D6D42C8AB204099C445F8C7"><enum>(4)</enum><header>Historical monthly average consumption defined</header><text display-inline="yes-display-inline">The term <term>historical monthly average consumption</term> means the average consumption for each month occurring during the period beginning on January 1, 2017, and ending on December 31, 2019. </text></paragraph>

<paragraph id="H2583935E62A548069890E2D72EDED49"><enum>(5)</enum><header>Sunset</header><text>The Secretary may not provide emergency assistance under this section on or after December 31, 2020.</text></paragraph>

<paragraph id="H9D298DD6D2D94090845729C32B434C16"><enum>(6)</enum><header>Funding</header><text>There is made available, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this section.</text></paragraph></subsection></section>

<section id="HC28D80C8AB744DD79E110A770AC50030"><enum>60306.</enum><header>Direct payments to agricultural producers</header>

<subsection id="H77738D4CB8A24D29AC33BB3ABD02B901"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">The Secretary shall make direct payments to producers of specialty crops, livestock, and other commodities, to cover losses in response to the COVIDâ€™19 pandemic.</text></subsection>

<subsection id="H3EB61C7E08594910B8C853110D3AE464"><enum>(b)</enum><header>Payment calculations</header><text display-inline="yes-display-inline">Payment under subsection (a), shall be calculated as follows:</text>

<paragraph id="H370CFC84492E4027802226884C7AD073"><enum>(1)</enum><header>Specialty crops, livestock, and other commodities covered by Coronavirus Food Assistance Program</header><text display-inline="yes-display-inline">In the case of losses of specialty crops, livestock, and other commodities incurred during the first quarter of calendar year 2020 and eligible to receive direct payments under the Department of Agricultureâ€™s final rule for the Coronavirus Food Assistance program of the Department of Agriculture, payments under subsection (a) shall be made to producers to ensure that they are compensated for 85 percent of the second quarter actual losses estimated by the Secretary.</text></paragraph>

<paragraph id="HEC0F0BC11F834567A590458CD7510067"><enum>(2)</enum><header>Specialty crops, livestock, and other commodities not covered by Coronavirus Food Assistance Program</header><text display-inline="yes-display-inline">In the case of losses of specialty crops, livestock, and other commodities for which a producer is ineligible to receive direct payments under the program referred to in paragraph (1), payments under subsection (a) shall be equal to 85 percent of the actual losses estimated by the Secretary for the first and second quarters of calendar year 2020 for their commodity. </text></paragraph></subsection>

<subsection id="HAB7323388B194A8DB3D0A61C58D3A3B9"><enum>(c)</enum><header>Adjustment</header><text display-inline="yes-display-inline">In calculating the amount of a payment under subsection (b) (2), the Secretary shall account for price differentiation factors for a

given commodity based on location, specialized varieties, and farming practices such as certified organic products, by usingâ€

<paragraph id="HB17109B528AD4655BC19004722C3BD80"><enum>(1)</enum><text>differentiated prices, as determined by the Risk Management Agency for purposes of the Federal crop insurance program under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.), when available; and</text></paragraph>

<paragraph id="HBAB2D7229E6F4C159BB96C4FB4ABDB54"><enum>(2)</enum><text>other data from the Department of Agriculture and colleges and universities, to determine estimated prices.</text></paragraph></subsection>

<subsection id="H6787E5C8C1254835ABA26D5E989C3673"><enum>(d)</enum><header>Adjusted gross income limitations</header><text>A payment under this section shall be deemed to be a covered benefit under section 1001D(b)(2) of the Food Security Act of 1985 (7 U.S.C. 1308â€3a(b)(2)), unless at least 75 percent of the adjusted gross income of the recipient of the payment is derived from farming, ranching, or forestry-related activities.</text></subsection>

<subsection id="HCF96B3DE01E44618AD88A83630552F54"><enum>(e)</enum><header>Payments</header><text display-inline="yes-display-inline">The Secretary shall make payments under subsection (a) not later than 60 days after the date of the enactment of this section.</text></subsection>

<subsection id="HFC68E69A4095422F90204254D383B126"><enum>(f)</enum><header>Funding</header><text display-inline="yes-display-inline">There is made available, out of any funds in the Treasury not otherwise appropriated, to carry out this section \$16,500,000,000, to remain available until December 31, 2020.</text></subsection>

<subsection id="H09A6EF9F2F064E5B9E1837CB03F56848"><enum>(g)</enum><header>Notification</header><text>Any obligation or expenditure under this section shall be subject to the requirements described in section 20 of the Commodity Credit Corporation Charter Act, as added by section 60402.</text></subsection>

<subsection id="HF1D66E2CC24E472985694DF9448CC1FD"><enum>(h)</enum><header>Report to Congress</header><text>Not later than one year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report specifying how price losses were calculated for each crop and crop differentiation factor, and evaluating the implementation, costs, and general effectiveness of this section and the Coronavirus Food Assistance program of the Department of Agriculture.</text></subsection></section></title>

<title id="H255067E960FD4C5D8437450C28CA0B63"><enum>IV</enum><header>Commodity Credit Corporation</header>

<section id="H3DCCCAE090F14972AF2906BB22EBADCD" commented="no"><enum>60401.</enum><header>Emergency assistance</header><text display-inline="no-display-inline">Section 5 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714c) is amended by redesignating subsection (h) as subsection (j) and inserting the following:</text>

<quoted-block id="HBE487E9062F345E3889820F32D796D27" style="OLC">

<subsection id="HB59633DA88114896AC9E69D0D3B7E8AA" commented="no"><enum>(h)</enum><text display-inline="yes-display-inline">Remove and dispose of or aid in the removal or disposition of surplus livestock and poultry due to significant supply chain interruption during an emergency period.</text></subsection>

<subsection id="H42A32439856A4B37B393FB3ACD2E077D" commented="no"><enum>(i)</enum><text>Aid agricultural processing plants to ensure supply chain continuity during an emergency period.</text></subsection><after-quoted-block></after-quoted-block></quoted-block></section>

<section id="HAB8335185BDD4ECDB92BA39C1178020B"><enum>60402.</enum><header>Congressional notification</header><text display-inline="no-display-inline">The Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) is amended by adding at the end the

following new section:</text>

<quoted-block style="OLC" id="H3EE5CF3CF47F4CF393CC817F0E62792C" display-inline="no-display-inline">

<section id="H95A4903F25A84BC4896B9494FC2CE2DF"><enum>20.</enum><header>Congressional notification and oversight on spending</header>

<subsection id="HD258FE2C05D24C4C8993B74A7B98693F"><enum>(a)</enum><header>In general</header><text>The Secretary shall notify in writing, by first-class mail and electronic mail, the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate at least 90 calendar days (not counting any day on which both the House of Representatives and Senate are not in session) in advance of any obligation or expenditure authorized under this Act.</text></subsection>

<subsection id="HB630E142AF2B4A7BAF3525040A9A95E2"><enum>(b)</enum><header>Written notice</header><text>A written notice required under subsection (a) shall specifyâ€

<paragraph id="H791A2EC0736D421AB49EC428F9B81BF4"><enum>(1)</enum><text>the commodities that will be affected;</text></paragraph>

<paragraph id="H6BC6181AAF7C46A4AD3CFA5B904800B3"><enum>(2)</enum><text>the maximum financial benefit per commodity;</text></paragraph>

<paragraph id="H4A1EDDEC23704BEABF6D16E57794D15D"><enum>(3)</enum><text>the nature of the support, includingâ€

<subparagraph id="H2EDD25424ABB42F29B244C4026EC2353"><enum>(A)</enum><text>direct payments;</text></subparagraph>

<subparagraph id="H7AB8439F656244389808CAD900D1D7F6"><enum>(B)</enum><text>technical and financial assistance;</text></subparagraph>

<subparagraph id="H1D5BE2C24320492FA54452C960E75CF1"><enum>(C)</enum><text>marketing assistance; and</text></subparagraph>

<subparagraph id="HBF445B0D9A7249948EEE3127D0AB5254"><enum>(D)</enum><text>purchases;</text></subparagraph></paragraph>

<paragraph id="HA928204E6EF84058B5D58E528D0CF019"><enum>(4)</enum><text>the expected legal entities or individuals that would receive financial benefits;</text></paragraph>

<paragraph id="H1C2885C2A8224FA8B84DFA60392F1494"><enum>(5)</enum><text>the intended policy goals;</text></paragraph>

<paragraph id="HBB381A426ADD4FAE8461328F64EAB7F1"><enum>(6)</enum><text>the legal justification specifying the authority of this Act utilized; and</text></paragraph>

<paragraph id="H54C2DD8E091B4DD38CE2D2A038C5F9A2"><enum>(7)</enum><text>the projected impacts to commodity markets.</text></paragraph></subsection>

<subsection id="H6249CBDC96F84B1C825CA77AF1D13DD3"><enum>(c)</enum><header>Monitoring or oversight</header><text>The Comptroller General of the United States shall conduct monitoring and oversight of the exercise of authorities, the receipt, disbursement, and use of funds for which a report is required under subsection (a).</text></subsection>

<subsection id="H51CE3C9C9807438EB0DE8EB36F5E09C9"><enum>(d)</enum><header>Reports</header><text>In conducting monitoring and oversight under subsection (c), the Comptroller General shall publish reports regarding the ongoing monitoring and oversight efforts, which, along with any audits and investigations conducted by the Comptroller General, shall be submitted to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate and posted on the website of the Government Accountability Officeâ€

<paragraph id="H489AA55A427441BBB5D9C0FD374C7A41"><enum>(1)</enum><text>not later than 90 days after the initial obligation or expenditure of funds subject to subsection (a), and every other month thereafter for as long as such obligations or expenditures continue; and</text></paragraph>

<paragraph id="H635B81521120405DA63066D47C2C9D83"><enum>(2)</enum><text>submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate additional reports as warranted by the findings of the monitoring and oversight activities of the Comptroller General.</text></paragraph></subsection>

<subsection id="HE4698FA4780B4DD0863F8AC869B42FB6"><enum>(e)</enum><header>Access to information</header>

<paragraph id="H24A1E0983C7C406FA951B27CEDEC8838"><enum>(1)</enum><header>Right of access</header><text>In conducting monitoring and oversight activities under subsection (c), the Comptroller General shall have access to records, upon request, of any Federal, State, or local agency, contractor, grantee, recipient, or subrecipient pertaining to any obligations or expenditures subject to subsection (a), including private entities receiving such assistance.</text></paragraph>

<paragraph id="HC0811887B80D4EA6894EA0B62A7BF90B"><enum>(2)</enum><header>Copies</header><text>The Comptroller General may make and retain copies of any records accessed under paragraph (1) as the Comptroller General determines appropriate.</text></paragraph>

<paragraph id="H05248CFE96AD49A0BF88CBD4EB0CA967"><enum>(3)</enum><header>Interviews</header><text>In addition to such other authorities as are available, the Comptroller General or a designee of the Comptroller General may interview Federal, State, or local officials, contractor staff, grantee staff, recipients, or subrecipients pertaining to any obligations or expenditures subject to subsection (a), including private entities receiving such assistance.</text></paragraph>

<paragraph id="H34F310DEB66F42FCB279E339A6AD46C1"><enum>(4)</enum><header>Inspection of facilities</header><text>As determined necessary by the Comptroller General, the Government Accountability Office may inspect facilities at which Federal, State, or local officials, contractor staff, grantee staff, or recipients or subrecipients carry out their responsibilities related to obligations or expenditures subject to subsection (a).</text></paragraph>

<paragraph id="HE6AF173D042B4686989E6F788AFA3DF3"><enum>(5)</enum><header>Enforcement</header><text>Access rights under this subsection shall be subject to enforcement consistent with section 716 of title 31, United States Code.</text></paragraph></subsection>

<subsection id="H6F9137DFBC1D42FEBBFBC053290D412B"><enum>(f)</enum><header>Relationship to existing authority</header><text>Nothing in this section shall be construed to limit, amend, supersede, or restrict in any manner any existing authority of the Comptroller General.</text></subsection>

<subsection id="H873FC598D25C4F90BE4A52CDF560A68E"><enum>(g)</enum><header>Exception to waiting period</header><text>Subsection (a) shall not apply if, prior to obligating or spending any funding described in such subsection, the Secretary obtains approval in writing from at least three of the following individualsâ€"</text>

<paragraph id="H2469C8C5B75441E7AC73D7F082803A76"><enum>(1)</enum><text>the Chair of the Committee on Agriculture of the House of Representatives,</text></paragraph>

<paragraph id="HAB8D36500005423BB3EA5BC97E8B491F"><enum>(2)</enum><text>the Ranking Member of the Committee on Agriculture of the House of Representatives,</text></paragraph>

<paragraph id="HDB9E7FD2188744F08268A3F32B83E068"><enum>(3)</enum><text>the Chair of the Committee on Agriculture, Nutrition, and Forestry of the Senate;
</text></paragraph>

<paragraph id="H62956FBB216A4FAABA6D5E3E3D800AAD"><enum>(4)</enum><text>the Ranking Member of the Committee on Agriculture, Nutrition, and Forestry of the Senate.</text></paragraph></subsection>

<subsection id="H7C90677A4FB4486A873DC330CE7AD0F3"><enum>(h)</enum><header>Exclusion for preexisting authorizations</header><text>This section shall not apply to obligations and expenditures authorized in the Agriculture Improvement Act of 2018 (Public Law 115â€"334).</text></subsection></section><after-quoted-block></after-quoted-block></quoted-block></section></title>

<title
id="H4DE09269BC064FE5A9E6421E77127262"><enum>V</enum><header>Conservation</header>

<section id="H229329DBF35D41F09E604E1A6F2A2442"><enum>60501.</enum><header>Emergency
soil health and income protection pilot program</header>

<subsection id="H0C88AB3BE1A2403E8ADF00912B0929E5"><enum>(a)</enum><header>Definition
of eligible land</header><text display-inline="yes-display-inline">In this section, the
term <term>eligible land</term> means cropland thatâ€

<paragraph id="H42D3D4CFB14C4B3B926BB352574C8AB3"><enum>(1)</enum><text>is selected by
the owner or operator of the land for proposed enrollment in the pilot program under
this section; and</text></paragraph>

<paragraph id="HD910BFAA9E3B4FC9A5A2941DA5F347AF"><enum>(2)</enum><text>as determined
by the Secretary, had a cropping history or was considered to be planted during each of
the 3 crop years preceding enrollment.</text></paragraph></subsection>

<subsection
id="HC088883D6835426FBFDE3D8DA6F50445"><enum>(b)</enum><header>Establishment</header>

<paragraph id="HADADC7B471CC4AE0873D6791954BC204"><enum>(1)</enum><header>In
general</header><text>The Secretary shall establish a voluntary emergency soil health
and income protection pilot program under which eligible land is enrolled through the
use of contracts to assist owners and operators of eligible land to conserve and
improve the soil, water, and wildlife resources of the eligible
land.</text></paragraph>

<paragraph id="HF91E70EAB9F64505B7F5667B590CDE54"><enum>(2)</enum><header>Deadline for
participation</header><text>Eligible land may be enrolled in the program under this
section through December 31, 2021.</text></paragraph></subsection>

<subsection
id="H413AD060E48F433895D584A463A43859"><enum>(c)</enum><header>Contracts</header>

<paragraph
id="HB8F0B642BE4546E59DEC5F52DE1333FA"><enum>(1)</enum><header>Requirements</header><te
xt>A contract described in subsection (b) shallâ€

<subparagraph id="H408A66B4C59B4A3FB91CA41E19256FEA"><enum>(A)</enum><text>be entered
into by the Secretary, the owner of the eligible land, and (if applicable) the operator
of the eligible land; and</text></subparagraph>

<subparagraph id="H79BFDD4439C840348B1D035D08B4B8EC"><enum>(B)</enum><text>provide
that, during the term of the contractâ€

<clause id="H61A28A3E172D4BB09B40720210A40D7D"><enum>(i)</enum><text>the lowest
practicable cost perennial conserving use cover crop for the eligible land, as
determined by the applicable State conservationist after considering the advice of the
applicable State technical committee, shall be planted on the eligible
land;</text></clause>

<clause id="H72DAB54BCEE8467C84F71CCFFD16CF52"><enum>(ii)</enum><text>subject to
paragraph (4), the eligible land may be harvested for seed, hayed, or grazed outside
the primary nesting season established for the applicable county;</text></clause>

<clause id="HC67C236B7D934DD0A0C367512C3174FC"><enum>(iii)</enum><text>the eligible
land may be eligible for a walk-in access program of the applicable State, if any;
and</text></clause>

<clause id="HF08CEDF01DA84AE8B5E7047816612016"><enum>(iv)</enum><text>a nonprofit
wildlife organization may provide to the owner or operator of the eligible land a
payment in exchange for an agreement by the owner or operator not to harvest the
conserving use cover.</text></clause></subparagraph></paragraph>

<paragraph
id="HEE59B7003C4F40A595A94D6547BDE22B"><enum>(2)</enum><header>Payments</header>

<subparagraph id="HE84EF858B3C44DE798AD645570409ACC"><enum>(A)</enum><header>Rental
rate</header><text>Except as provided in paragraph (4) (B) (ii), the annual rental rate
for a payment under a contract described in subsection (b) shall be \$70 per
acre.</text></subparagraph>

<subparagraph id="HFC1B5162460A4D4E9BCD36E5E683ECD8" commented="no"><enum>(B)</enum><header>Advance payment</header><text display-inline="yes-display-inline">At the request of the owner and (if applicable) the operator of the eligible land, the Secretary shall make all rental payments under a contract entered into under this section within 30 days of entering into such contract.</text></subparagraph>

<subparagraph id="H6BA9FA41088B4EDBAF1F358BC36708BB" commented="no"><enum>(C)</enum><header>Cost share payments</header><text display-inline="yes-display-inline">A contract described in subsection (b) shall provide that, during the term of the contract, the Secretary shall pay, of the actual cost of establishment of the conserving use cover crop under paragraph (1) (B) (i), not more than \$30 per acre.</text></subparagraph></paragraph>

<paragraph id="HC4D890690DBD49D783EE2B897E801BB1"><enum>(3)</enum><header>Term</header>

<subparagraph id="H2C1C97BC096444D788B0A187718CB566"><enum>(A)</enum><header>In general</header><text>Except as provided in subparagraph (B), each contract described in subsection (b) shall be for a term of 3 years.</text></subparagraph>

<subparagraph id="H07BC0B7A31C0405799DAC687CF2E9AFE"><enum>(B)</enum><header>Early termination</header>

<clause id="HDC50EC10000A4F359DD128A26FE2A771"><enum>(i)</enum><header>Secretary</header><text>The Secretary may terminate a contract described in subsection (b) before the end of the term described in subparagraph (A) if the Secretary determines that the early termination of the contract is appropriate.</text></clause>

<clause id="H75A1CA73EFAD4DAA99DE2D29C5A954F6"><enum>(ii)</enum><header>Owners and operators</header><text>An owner and (if applicable) an operator of eligible land enrolled in the pilot program under this section may terminate a contract described in subsection (b) before the end of the term described in subparagraph (A) if the owner and (if applicable) the operator pay to the Secretary an amount equal to the amount of rental payments received under the contract.</text></clause></subparagraph></paragraph>

<paragraph id="HB0ABC2B68BCE4D4298AD0974317328D2"><enum>(4)</enum><header>Harvesting, haying, and grazing outside applicable period</header><text>The harvesting for seed, haying, or grazing of eligible land under paragraph (1) (B) (ii) outside of the primary nesting season established for the applicable county shall be subject to the conditions thatâ€" </text>

<subparagraph id="HBDBCE1081C994E3ABA3E4AFC21D1DDAB"><enum>(A)</enum><text>with respect to eligible land that is so hayed or grazed, adequate stubble height shall be maintained to protect the soil on the eligible land, as determined by the applicable State conservationist after considering the advice of the applicable State technical committee; and</text></subparagraph>

<subparagraph id="HBD521829F2B1404F9BDB6526A4B8194F"><enum>(B)</enum><text>with respect to eligible land that is so harvested for seedâ€" </text>

<clause id="H5D167891453B47E2B51AA81061228820"><enum>(i)</enum><text>the eligible land shall not be eligible to be insured or reinsured under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and</text></clause>

<clause id="H55E21FAC7FCC42949997399F11D45F7D" commented="no"><enum>(ii)</enum><text>the annual rental rate for a payment under a contract described in subsection (b) shall be \$52.50 per acre.</text></clause></subparagraph></paragraph></subsection>

<subsection id="H70A02B8E865448CDBCE73CB17C3FCE86"><enum>(d)</enum><header>Acreage limitation</header><text>Not more than 5,000,000 total acres of eligible land may be enrolled under the pilot program under this section.</text></subsection>

<subsection id="HC9EA3F6CDABC452DB6E3F2A3B4912348"><enum>(e)</enum><header>Funding</header><text display-inline="yes-display-inline">There is appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary to carry out this section.</text></subsection></section></title>

<title id="H13A388CEBBE54831969AB4C3BBAE02A5"><enum>VI</enum><header>Nutrition</header>

<section id="H68C92BE8A73B45128F24B5D13819FDE2"><enum>60601.</enum><header>Definitions</header><text display-inline="no-display-inline">In this title:</text>

<paragraph id="H638B065E6C124C64BD420888E0A1934A"><enum>(1)</enum><header>Covid-19 public health emergency</header><text>The term <term>COVIDâ€"19 public health emergency</term> means the public health emergency declared by the Secretary of Health and Human Services under section 319 of the Public Health Services Act (42 U.S.C. 247d) on January 31, 2020, with respect to COVIDâ€"19.</text></paragraph>

<paragraph id="HEFD8624072344D80843F6ACF1838B262"><enum>(2)</enum><header>Supplemental nutrition assistance program</header><text>The term <term>supplemental nutrition assistance program</term> has the meaning given such term in section 3(t) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(t)).</text></paragraph></section>

<section id="H188B462CB56B4D9FBB6729D962F74DB8"><enum>60602.</enum><header>Enhanced projects to harvest, process, package, or transport donated commodities</header>

<subsection id="HD621D31865574AFAAD27B19EDF1A2149"><enum>(a)</enum><header>Definitions</header><text>In this section:</text>

<paragraph id="HADE66089398544DFADDD967582A40106"><enum>(1)</enum><header>Emergency feeding organization</header><text display-inline="yes-display-inline">The term <term>emergency feeding organization</term> has the meaning given the term in section 201A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501).</text></paragraph>

<paragraph id="HD637510B30934F86916E3EBE31D0594B"><enum>(2)</enum><header>Project</header><text>The term <term>project</term> has the meaning given the term in section 203D(d) (1) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507(d) (1)).</text></paragraph>

<paragraph id="HCEEB8292DBC7438E8498BBC4347181DE"><enum>(3)</enum><header>Priority agricultural product</header><text>The term <term>priority agricultural product</term> means a dairy, meat, or poultry product, or a specialty cropâ€"</text>

<subparagraph id="HF31B0601D73D4E34B2639AE873910825"><enum>(A)</enum><text>packaged or marketed for sale to commercial or food service industries;</text></subparagraph>

<subparagraph id="H16B5F5A03A584AF79F7C97282E441A83"><enum>(B)</enum><text>for which decreased demand exists for such a product due to the COVIDâ€"19 outbreak; and</text></subparagraph>

<subparagraph id="HD718D2FA27EE4CD0B2EC9AABFABD7BDE"><enum>(C)</enum><text>the repurposing of which would be impractical for grocery or retail sale.</text></subparagraph></paragraph>

<paragraph id="H306A7F16C9CE4D44940966A8B59BDE54"><enum>(4)</enum><header>State</header><text display-inline="yes-display-inline">The term <term>State</term> has the meaning given the term in section 203D of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507).</text></paragraph>

<paragraph id="H64481A57937F4286ACE189135E4B1A90"><enum>(5)</enum><header>State agency</header><text display-inline="yes-display-inline">The term <term>State agency</term> has the meaning given the term in section 203D of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507).</text></paragraph></subsection>

<subsection id="H7848F8F087AF446CA090349E3E76F7D4"><enum>(b)</enum><header>Enhanced projects</header>

<paragraph id="H47A6180A8AC74ADD97826867BF5A3929"><enum>(1)</enum><header>In general</header><text>Subject to paragraphs (3) and (4), using funds made available under subsection (d), the Secretary may provide funds to States to pay for harvesting, processing, packaging, or transportation costs of carrying out a project.</text></paragraph>

<paragraph id="HFB0652DE0FEC4DF09D04C2C9E9FB75B5"><enum>(2)</enum><header>Guidance</header><text display-inline="yes-display-inline">Not later than 30 days after the date of enactment

of this Act, the Secretary shall issue guidance to Statesâ€

<subparagraph id="H04444C9BF1774700903719ABB1892187"><enum>(A)</enum><text> to carry out this section;</text></subparagraph>

<subparagraph id="HB67BDA82267B4C109D18875E2DB050C4"><enum>(B) </enum><text>to inform States of their allocations under paragraph (3); and</text></subparagraph>

<subparagraph id="H022EBE3D675B45D881A036B308B20D9C"><enum>(C)</enum><text>to encourage States to carry out projects that work with agricultural producers, processors, and distributors with priority agricultural products.</text></subparagraph></paragraph>

<paragraph id="HC81967EA38BA4C99BD7AC8B249022E0B"><enum>(3)</enum><header>Allocation</header>

<subparagraph id="H80AEAC7054B84E1F83906D40160D990F"><enum>(A)</enum><header>Eligibility for allocation</header><text display-inline="yes-display-inline">The Secretary shall allocate funds made available under subsection (d) based on the formula in effect under section 214(a) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7515(a)), among States that timely submit a State plan of operation for a project that includesâ€

<clause id="HE1CDD314B8C64D5795EA58ABC815CB95"><enum>(i)</enum><text>a list of emergency feeding organizations in the State that will operate the project in partnership with the State agency;</text></clause>

<clause id="H2BDB37DAC6324B5192D14BA884B47E52"><enum>(ii)</enum><text>at the option of the State, a list of priority agricultural products located in the State that are for donation to emergency feeding organizations and ready for transport;</text></clause>

<clause id="H2D1FD7E00AA34C6BBD93FCA25B71DDC8"><enum>(iii)</enum><text display-inline="yes-display-inline">a description of how the project will meet the purposes described in section 203D(d) (3) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507(d) (3)); and</text></clause>

<clause id="H0A58E28703CF4AA6B6AC21D797EAAEA2"><enum>(iv)</enum><text>a timeline of when the project will begin operating.</text></clause></subparagraph>

<subparagraph id="H70552827C9A34C8999D3674259914443"><enum>(B)</enum><header>Reallocation</header><text>If the Secretary determines that a State will not expend all the funds allocated to the State under subparagraph (A), the Secretary shall reallocate the unexpended funds to other eligible States.</text></subparagraph>

<subparagraph id="H8BBD5DCBB20E44948FD854FCFF2547E6"><enum>(C)</enum><header>Report</header><text display-inline="yes-display-inline">Each State that receives funds allocated under this paragraph shall submit to the Secretary financial reports on a regular basis describing the use of the funds.</text></subparagraph></paragraph>

<paragraph id="HE7663BB877FC4806B7E03F069F1DCDFB"><enum>(4)</enum><header>Use of funds</header>

<subparagraph id="H744A3D380EED486BA2551FE8BFCBFFE4"><enum>(A)</enum><header>In general</header><text>A State that receives funds under section 203D(d) (5) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507(d) (5)) mayâ€

<clause id="H7A5812EE87B04246950660FB84AE9ECB"><enum>(i)</enum><text>receive funds under this section; and</text></clause>

<clause id="H9E929BB6421C4386BCC59EF6BBE30D9E"><enum>(ii)</enum><text>use funds received under this sectionâ€

<subclause id="H3B9EBDB9DA4F45C0B11943E349B1A573"><enum>(I)</enum><text>to expand projects for which funds are received under such section 203D(d) (5);</text></subclause>

<subclause id="H01A7EB44417147559D5FC59511BF8D03"><enum>(II)</enum><text>to carry out new projects with agricultural producers, processors, or distributors participating in projects for which funds are received under such section 203D(d) (5); and</text></subclause>

<subclause id="H25AB6EC44BED4AD09BCBD74D29D36FAC"><enum>(III)</enum><text display-inline="yes-display-inline"> to carry out projects with agricultural producers, processors, or distributors not participating in projects for which funds are received under such section 203D(d) (5).</text></subclause></clause></subparagraph>

<subparagraph id="H0FB0A2BFFFC374EC1AB6D032B8AF6F194"><enum>(B)</enum><header>Federal share</header><text>Funds received under this section shall not be subject to the Federal share limitation described in section 203D(d) (2) (B) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507(d) (2) (B)).</text></subparagraph></paragraph></subsection>

<subsection id="H7D1876DF55C24A2BA235A5D4D804A266"><enum>(c)</enum><header>Cooperative agreements</header>

<paragraph id="H3E70FF4BB5E4458691ECA54274311DB7"><enum>(1)</enum><header>In general</header><text display-inline="yes-display-inline">A State agency that carries out a project using Federal funds received under this section may enter into cooperative agreements with State agencies of other States under section 203B(d) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507(d)) to maximize the use of commodities donated under the project.</text></paragraph>

<paragraph id="HD4C23BB22BD346B2A557CCA41E29FA3F"><enum>(2)</enum><header>Submission</header><text>Not later than 15 days after entering into a cooperative agreement under paragraph (1), a State agency shall submit such agreement to the Secretary.</text></paragraph></subsection>

<subsection id="H6554070F084F497BAE49A6DC63A18ADE"><enum>(d)</enum><header>Appropriation of funds</header><text display-inline="yes-display-inline">Out of funds in the Treasury not otherwise appropriated, there is appropriated to carry out this section \$25,000,000 to remain available until the September 30, 2021.</text></subsection>

<subsection id="H734421AA4A334FAB800290A18965CAF0"><enum>(e)</enum><header>Public availability</header><text>Not later than 10 days after the date of the receipt or issuance of each document listed in paragraphs (1), (2), or (3) of this subsection, the Secretary shall make publicly available on the website of the Department of Agriculture the following documents:</text>

<paragraph id="HA1973EDB03854B2F85019E289D43B755"><enum>(1)</enum><text>Any guidance issued under subsection (b) (2).</text></paragraph>

<paragraph id="H0071621842284271A7375451B328E3D8"><enum>(2)</enum><text>A State plan of operation or report submitted in accordance with subsection (b) (3).</text></paragraph>

<paragraph id="H081D4603B1D246A78EEDD591B60A0EEB"><enum>(3)</enum><text>A cooperative agreement submitted in accordance with subsection (c).</text></paragraph></subsection></section>

<section id="H4B1D00C9A9234A60B2F07E9D05796BCA"><enum>60603.</enum><header>Emergency food assistance program flexibilities</header>

<subsection id="HB7E29CF2EF5C4D31B626EEAEB86DC052"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Notwithstanding any other provision of law, the Secretary of Agriculture shall issue guidance to waive the non-Federal match requirement under section 204(a) (4) (A) of the Emergency Food Assistance Act of 1983 for funding appropriated in title I of division A of this Act for costs associated with the distribution of commodities.</text></subsection>

<subsection id="HC53831122AC24C178DE59AEF6E9B7751"><enum>(b)</enum><header>Public availability</header><text>The Secretary shall make available the guidance document issued under subsection (a) on the public website of the Department of Agriculture not later than 10 days after the date of the issuance of such guidance.</text></subsection>

<subsection id="H2706E68D4EC04C7889C0C767D660336B"><enum>(c)</enum><header>Effective period</header><text display-inline="yes-display-inline">The authority under this section shall expire 30 days after the termination of the COVID-19 public health emergency.</text></subsection></section>

<section id="HDB371896111F4458ADF047F6D73C08EF"><enum>60604.</enum><header>Flexibilities for

senior farmersâ€™ market program</header>

<subsection id="H3ED29F4F2FA147B4B79B9358EEB570AB"><enum>(a)</enum><header>Authority to modify or waive rules</header><text display-inline="yes-display-inline">Notwithstanding any other provision of law and if requested by a State agency, the Secretary of Agriculture may modify or waive any rule issued under section 4402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007) that applies to such State agency if the Secretary determines thatâ€"</text>

<paragraph id="HA94F4A48DA38474DAAFD9E636984AD2A"><enum>(1)</enum><text>such State agency is unable to comply with such rule as a result of COVIDâ€™19, and</text></paragraph>

<paragraph id="H71D3D0F76C0D43C4B9DED57E1C873593"><enum>(2)</enum><text display-inline="yes-display-inline">the requested modification or waiver is necessary to enable such State agency to provide assistance to low-income seniors under such section.</text></paragraph></subsection>

<subsection id="HB681005E0185479C84EAACBDA81B5EFF"><enum>(b)</enum><header>Public availability</header><text>Not later than 10 days after the date of the receipt or issuance of each document listed in paragraphs (1) and (2) of this subsection, the Secretary shall make publicly available on the website of the Department of Agriculture the following documents:</text>

<paragraph id="HA030D38CB9FD45F3AB180F9519E47E4D"><enum>(1)</enum><text>Any request submitted by State agencies under subsection (a).</text></paragraph>

<paragraph id="HBB10CF773DAD4BBAB5C30492EB9549C5"><enum>(2)</enum><text>The Secretaryâ€™s approval or denial of each such request.</text></paragraph></subsection>

<subsection id="H59733CC19114481F9CCA3495F3C1E5F5"><enum>(c)</enum><header>Definition of State agency</header><text display-inline="yes-display-inline">The term <term>State agency</term> has the meaning given such term in section 249.2 of 18 title 7 of the Code of Federal Regulations.</text></subsection>

<subsection id="H1FA9C3812B8543CCB23B1C270231667A"><enum>(d)</enum><header>Effective period</header><text display-inline="yes-display-inline">Subsection (a) shall be in effect during the period that begins on the date of the enactment of this Act and ends 30 days after the termination of the COVIDâ€™19 public health emergency.</text></subsection></section>

<section id="HDEA767AC852649249E1C334266C861BE"><enum>60605.</enum><header>Flexibilities for the food distribution program on Indian reservations</header>

<subsection id="H9DF38BD8FEE74747B55BAC7C805C1798"><enum>(a)</enum><header>Waiver of non-Federal share requirement</header><text>Funds provided in division B of the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116â€™136) for the food distribution program on Indian reservations authorized by section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)) shall not be subject to the payment of the non-Federal share requirement described in section 4(b) (4) (A) of such Act (7 U.S.C. 2013(b) (4) (A)).</text></subsection>

<subsection id="H7C5892087AD443B59A02A8E7D1BAEA40"><enum>(b)</enum><header>Flexibilities for certain households</header>

<paragraph id="HA290B7ACE8D243D88E4B4ECDC3026541"><enum>(1)</enum><header>In general</header><text>Notwithstanding any other provision of law, the Secretary of Agriculture may issue guidance to waive or adjust section 4(b) (2) (C) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b) (2) (C)) for any Tribal organization (as defined in section 3(v) of such Act (7 U.S.C. 2012(v))), or for an appropriate State agency administering the program established under section 4(b) of such Act (7 U.S.C. 2013(b)), to ensure that households on the Indian reservation who are participating in the supplemental nutrition assistance program and who are unable to access approved retail food stores due to the outbreak of COVIDâ€™19 have access to commodities distributed under section 4(b) of such Act.</text></paragraph>

<paragraph id="H86E11C3F22944EFBADB29002FD6557F5"><enum>(2)</enum><header>Public availability</header><text>The Secretary shall make available the guidance document issued under paragraph (1) on the public website of the Department of Agriculture not

later than 10 days after the date of the issuance of such guidance.</text></paragraph>

<paragraph

id="HA645063B907F4287847D90878840BB63"><enum>(3)</enum><header>Sunset</header><text display-inline="yes-display-inline">The authority under this subsection shall expire 30 days after the termination of the COVIDâ€"19 public health emergency.</text></paragraph></subsection></section>

<section id="HD3D1BB1FDADA427D948FB44BD9F34865"><enum>60606.</enum><header>Supplemental nutrition assistance program</header>

<subsection id="HBC3FC6BC63B540B4985B1C5FE8FE77FF"><enum>(a)</enum><header>Value of benefits</header><text display-inline="yes-display-inline">Notwithstanding any other provision of law, beginning on June 1, 2020, and for each subsequent month through September 30, 2021, the value of benefits determined under section 8(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2017(a)), and consolidated block grants for Puerto Rico and American Samoa determined under section 19(a) of such Act (7 U.S.C. 2028(a)), shall be calculated using 115 percent of the June 2019 value of the thrifty food plan (as defined in section 3 of such Act (7 U.S.C. 2012)) if the value of the benefits and block grants would be greater under that calculation than in the absence of this subsection.</text></subsection>

<subsection id="H2594E3A926694BBD99B950DC140EF9D2"><enum>(b)</enum><header>Minimum amount</header>

<paragraph id="H7E448EAAFD2C43F79B555BF44E68F5F4"><enum>(1)</enum><header>In general</header><text>The minimum value of benefits determined under section 8(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2017(a)) for a household of not more than 2 members shall be \$30.</text></paragraph>

<paragraph

id="HD371BE30B048482DA7E1B8556D0F1BC7"><enum>(2)</enum><header>Effectiveness</header><text>Paragraph (1) shall remain in effect until the date on which 8 percent of the value of the thrifty food plan for a household containing 1 member, rounded to the nearest whole dollar increment, is equal to or greater than \$30.</text></paragraph></subsection>

<subsection id="H687DBA6C7EF64FA0A03FED68A4ADADB7"><enum>(c)</enum><header>Requirements for the Secretary</header><text>In carrying out this section, the Secretary shallâ€"</text>

<paragraph id="H7334EF27CBF54C9DA8F796D0DCEF7876"><enum>(1)</enum><text>consider the benefit increases described in each of subsections (a) and (b) to be a <quote>mass change</quote>;</text></paragraph>

<paragraph id="H94F4C2E48D52411BA039FBFE01FF8C2F"><enum>(2)</enum><text>require a simple process for States to notify households of the increase in benefits;</text></paragraph>

<paragraph id="H3C9D383D1DB1403B864A76857A50ADCF"><enum>(3)</enum><text display-inline="yes-display-inline">consider section 16(c) (3) (A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c) (3) (A)) to apply to any errors in the implementation of this section, without regard to the 120-day limit described in that section;</text></paragraph>

<paragraph id="H6038F03B5E02408D98E68CC920291065"><enum>(4)</enum><text>disregard the additional amount of benefits that a household receives as a result of this section in determining the amount of overissuances under section 13 of the Food and Nutrition Act of 2008 (7 U.S.C. 2022); and</text></paragraph>

<paragraph id="H785C0A084E5240B7898727F312C4155F"><enum>(5)</enum><text display-inline="yes-display-inline">set the tolerance level for excluding small errors for the purposes of section 16(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)) at \$50 through September 30, 2021.</text></paragraph></subsection>

<subsection id="HDA60E765A1274E0B81E73FDD06006899"><enum>(d)</enum><header>Provisions for impacted workers</header><text>Notwithstanding any other provision of law, the requirements under subsections (d) (1) (A) (ii) and (o) of section 6 of the Food and Nutrition Act of 2008 (7 U.S.C. 2015) shall not be in effect during the period beginning on June 1, 2020, and ending 2 years after the date of enactment of this Act.</text></subsection>

<subsection

id="H4BEB3180BA0846AA958BB7799270111B"><enum>(e)</enum><header>Administrative expenses</header>

<paragraph id="H66D139A778684D128AE3CF7B78941DBF"><enum>(1)</enum><header>In general</header><text>For the costs of State administrative expenses associated with carrying out this section and administering the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.), the Secretary shall make available \$150,000,000 for fiscal year 2020 and \$150,000,000 for fiscal year 2021.</text></paragraph>

<paragraph id="HF4FFC43289E54AC7B301F34352C6BA7B"><enum>(2)</enum><header>Timing for fiscal year 2020</header><text>Not later than 60 days after the date of the enactment of this Act, the Secretary shall make available to States amounts for fiscal year 2020 under paragraph (1).</text></paragraph>

<paragraph id="HCAC00681470349FB943B059E907F524A"><enum>(3)</enum><header>Allocation of funds</header><text>Funds described in paragraph (1) shall be made available as grants to State agencies for each fiscal year as follows:</text>

<subparagraph id="H05738F1CE5AA482C809A04051CAFAF1"><enum>(A)</enum><text>75 percent of the amounts available for each fiscal year shall be allocated to States based on the share of each State of households that participate in the supplemental nutrition assistance program as reported to the Department of Agriculture for the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of the enactment of this Act) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)); and</text></subparagraph>

<subparagraph id="H48A8D2C4BDC9405BA4EBFE1C5E895F40"><enum>(B)</enum><text>25 percent of the amounts available for each fiscal year shall be allocated to States based on the increase in the number of households that participate in the supplemental nutrition assistance program as reported to the Department of Agriculture over the most recent 12-month period for which data are available, adjusted by the Secretary (as of the date of the enactment of this Act) for participation in disaster programs under section 5(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(h)).</text></subparagraph></paragraph></subsection>

<subsection id="HC7011E2244534BBE845626BCCEE70ED1"><enum>(f)</enum><header>Snap rules</header><text>No funds (including fees) made available under this Act or any other Act for any fiscal year may be used to finalize, implement, administer, enforce, carry out, or otherwise give effect toâ€"</text>

<paragraph id="H7D2CAA63C81145CA8169A9D1254C0118"><enum>(1)</enum><text>the final rule entitled <quote>Supplemental Nutrition Assistance Program: Requirements for Able-Bodied Adults Without Dependents</quote> published in the Federal Register on December 5, 2019 (84 Fed. Reg. 66782);</text></paragraph>

<paragraph id="H8D40E65729AE4F3DBE5C8BB14A30D002"><enum>(2)</enum><text>the proposed rule entitled <quote>Revision of Categorical Eligibility in the Supplemental Nutrition Assistance Program (SNAP)</quote> published in the Federal Register on July 24, 2019 (84 Fed. Reg. 35570); or</text></paragraph>

<paragraph id="H8597C0F0464B4EF4A6D96EED7FA56015"><enum>(3)</enum><text>the proposed rule entitled <quote>Supplemental Nutrition Assistance Program: Standardization of State Heating and Cooling Standard Utility Allowances</quote> published in the Federal Register on October 3, 2019 (84 Fed. Reg. 52809).</text></paragraph></subsection>

<subsection id="HE32F15E5640448EBB9BFD7DD26F52F06"><enum>(g)</enum><header>Certain exclusions from SNAP income</header><text>A Federal pandemic unemployment compensation payment made to an individual under section 2104 of the CARES Act (Public Law 116â€"136) shall not be regarded as income and shall not be regarded as a resource for the month of receipt and the following 9 months, for the purpose of determining eligibility for such individual or any other individual for benefits or assistance, or the amount of benefits or assistance, under any programs authorized under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.).</text></subsection>

<subsection id="HF82BD8B79AE94A1B9147EAA8362CC744"><enum>(h)</enum><header>Public availability</header><text>Not later than 10 days after the date of the receipt or issuance of each document listed below, the Secretary shall make publicly available on the website of the Department of Agriculture the following documents:</text>

<paragraph id="H1B989EF2CAEB40D0891B270B6FC18096"><enum>(1)</enum><text>Any State agency request to participate in the supplemental nutrition assistance program online program under section 7(k).</text></paragraph>

<paragraph id="HE4001941A469493AB9CA0DBE63EE7982"><enum>(2)</enum><text>Any State agency request to waive, adjust, or modify statutory or regulatory requirements under the Food and Nutrition Act of 2008 related to the COVIDâ€"19 outbreak.</text></paragraph>

<paragraph id="H5E6B112CEA59490885D8B2266F5DD7FB"><enum>(3)</enum><text>The Secretaryâ€™s approval or denial of each such request under paragraphs (1) or (2).</text></paragraph></subsection>

<subsection id="H6827C34860C64D729DD4B146E5D9777A"><enum>(i)</enum><header>Funding</header><text>There are hereby appropriated to the Secretary, out of any money not otherwise appropriated, such sums as may be necessary to carry out this section.</text></subsection></section>

<section id="HCADF9B7B5F9D465186193DF8C95207AA"><enum>60607.</enum><header>SNAP hot food purchases</header><text display-inline="no-display-inline">During the period beginning 10 days after the date of the enactment of this Act and ending on the termination date of the COVIDâ€"19 public health emergency, the term <term>food</term>, as defined in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012), shall be deemed to exclude <quote>hot foods or hot food products ready for immediate consumption other than those authorized pursuant to clauses (3), (4), (5), (7), (8), and (9) of this subsection,</quote> for purposes of such Act, except that such exclusion is limited to retail food stores authorized to accept and redeem supplemental nutrition assistance program benefits as of the date of enactment of this Act.</text></section>

<section id="H36B0144BCF8346A68893EF0CC0175B9D"><enum>60608.</enum><header>SNAP nutrition education flexibility</header>

<subsection id="H3B088388DA774CB2940BC14ABD58F7CF"><enum>(a)</enum><header>In general</header><text display-inline="yes-display-inline">Notwithstanding any other provision of law, the Secretary may issue nationwide guidance to allow funding allocated under section 28 of the Food and Nutrition Act (7 U.S.C. 2036a) to be used for individuals distributing food in a non-congregate setting under commodity distribution programs and child nutrition programs administered by the Food and Nutrition Service of the Department of Agriculture in States affected by the COVIDâ€"19 outbreak, provided that any individuals who distribute school meals underâ€"</text>

<paragraph id="H9C5FA16A87FB495AA22589606616B5F5"><enum>(1)</enum><text>the school lunch program established under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.); and</text></paragraph>

<paragraph id="H55E1B2BD60644B15B0FC7CAAC060C0E3"><enum>(2)</enum><text>the school breakfast program established under section 4 of the Child Nutrition Act of 1966 (42 U.S.C. 1773);</text></paragraph><continuation-text continuation-text-level="subsection">using funds allocated under section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) supplement, not supplant, individuals who are employed by local educational authorities as of the date of enactment of this Act.</continuation-text></subsection>

<subsection id="H87041893EEB143D0843FA1D839655A82"><enum>(b)</enum><header>Sunset</header><text>The authority for this section shall expire 30 days after the COVIDâ€"19 public health emergency is terminated.<pagebreak/></text></subsection></section></title></division>

<division id="H8BB36C1E5582429A9ED2DFE226EDFDD5" section-style="olc-section-style"><enum>G</enum><header>Accountability and Government Operations</header>

<title id="HAFCCC28F1A4440AE9343E62F938B9480" style="OLC"><enum>I</enum><header>Accountability</header>

<section id="HB651C54AA84B4C8AA39B23C9A479F9BE"><enum>70101.</enum><header>Membership of the pandemic response accountability committee</header><text display-inline="no-display-inline">Section 15010(c) of the CARES Act (Public Law 116â€"136) is amendedâ€"</text>

<paragraph id="H95E0983FCD9A4E0DBDC9565B3AC0EE0A"><enum>(1)</enum><text>in paragraph

(1), by striking <quote>and (D)</quote> and inserting <quote>(D), and (E)</quote>;
and</text></paragraph>

<paragraph id="H70A3D4C8393F4149B7C0F8BBED216D86"><enum>(2)</enum><text>in paragraph
(2)(E), by inserting <quote>of the Council</quote> after
<quote>Chairperson</quote>.</text></paragraph></section>

<section
id="HB83E8250D6294CC7A58999A3B2B5A0D6"><enum>70102.</enum><header>Congressional
notification of change in status of inspector general</header>

<subsection id="HBBF9C8B3B5344AAF84DCF4E595C40A88"><enum>(a)</enum><header>Change in
status of Inspector General of offices</header><text>Section 3(b) of the Inspector
General Act of 1978 (5 U.S.C. App.) is amendedâ€"</text>

<paragraph id="HFC31ADA8D93A40BDAF03A4D4F5C2B518"><enum>(1)</enum><text>by inserting
<quote>, is placed on paid or unpaid non-duty status,</quote> after <quote>is removed
from office</quote>;</text></paragraph>

<paragraph id="H8A278E851EC24100AFE8780723744CB0"><enum>(2)</enum><text>by inserting
<quote>, change in status,</quote> after <quote>any such removal</quote>;
and</text></paragraph>

<paragraph id="H46C33B64DC644AF5A5018C97DA579276"><enum>(3)</enum><text>by inserting
<quote>, change in status,</quote> after <quote>before the
removal</quote>.</text></paragraph></subsection>

<subsection id="H5B42FB9C5ADE4D9D97A355B3285F3FE7"><enum>(b)</enum><header>Change in
status of Inspector General of designated Federal entities</header><text>Section
8G(e) (2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amendedâ€"</text>

<paragraph id="HE8817CFA03494E3A98719013D6D2E006"><enum>(1)</enum><text>by inserting
<quote>, is placed on paid or unpaid non-duty status,</quote> after
<quote>office</quote>;</text></paragraph>

<paragraph id="HF4E039BEF5E540CC899891A302043C5F"><enum>(2)</enum><text>by inserting
<quote>, change in status,</quote> after <quote>any such removal</quote>;
and</text></paragraph>

<paragraph id="H84FD7C7001DA41EEB94A9B1CBF15AAAE"><enum>(3)</enum><text>by inserting
<quote>, change in status,</quote> after <quote>before the
removal</quote>.</text></paragraph></subsection>

<subsection id="H6716475EF8904DD0984811397A0DA891"><enum>(c)</enum><header>Effective
date</header><text>The amendments made by this section shall take effect 30 days after
the date of the enactment of this Act.</text></subsection></section>

<section id="HD37837683C67460994283FDDEBFF41C9"><enum>70103.</enum><header>Presidential
explanation of failure to nominate an inspector general</header>

<subsection id="H355B9A65D6AC4756B521BE2129FD70F7"><enum>(a)</enum><header>In
general</header><text>Subchapter III of chapter 33 of title 5, United States Code, is
amended by inserting after section 3349d the following new section:</text>

<quoted-block id="H76AA5A2B336E49F0863DFEDDDA9E8C7A" style="USC">

<section id="H35F4B7F59374423085AC0630A32B04B7"><enum>3349e.</enum><header>Presidential
explanation of failure to nominate an Inspector General</header><text display-
inline="no-display-inline">If the President fails to make a formal nomination for a
vacant Inspector General position that requires a formal nomination by the President to
be filled within the period beginning on the date on which the vacancy occurred and
ending on the day that is 210 days after that date, the President shall communicate,
within 30 days after the end of such period, to Congress in writingâ€"</text>

<paragraph id="HCC0B74667F384A41AB869556D2F0D3C4"><enum>(1)</enum><text>the reasons why
the President has not yet made a formal nomination; and</text></paragraph>

<paragraph id="H6F8E17FEB18C4F77BA858482F4D2BC6E"><enum>(2)</enum><text>a target date
for making a formal nomination.</text></paragraph></section><after-quoted-
block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H1E3676247F1B4B19AC0FCE04120E9AA2"><enum>(b)</enum><header>Clerical

amendment</header><text>The table of sections for chapter 33 of title 5, United States Code, is amended by inserting after the item relating to 3349d the following new item:</text>

<quoted-block id="H9808C995B7334416A0D7B1CCABD68AA0" style="USC">

<toc regeneration="no-regeneration">

<toc-entry level="section">3349e. Presidential explanation of failure to nominate an Inspector General.</toc-entry></toc><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="HC39DDD5D7AC441AAA71F47530E2A8F73"><enum>(c)</enum><header>Effective date</header><text>The amendment made by subsection (a) shall take effect on the date of the enactment of this Act and shall apply to any vacancy first occurring on or after that date.</text></subsection></section>

<section id="H3BB17A5A009647758A8C11E11872F85D"><enum>70104.</enum><header>Inspector General independence</header>

<subsection id="H4099C577689A46A8B1CF2D8CD67CD8A8"><enum>(a)</enum><header>Short title</header><text>This section may be cited as the <quote><short-title>Inspector General Independence Act</short-title></quote>.</text></subsection>

<subsection id="HC4D3C7BEEA7E4F63AFA21604BB59A8EC"><enum>(b)</enum><header>Amendment</header><text>The Inspector General Act of 1978 (5 U.S.C. App.) is amendedâ€" </text>

<paragraph id="HF7914F014476402EBE50FB0B56E0A998"><enum>(1)</enum><text>in section 3 (b) â€" </text>

<subparagraph id="H4D7B03E517DC4CACA9EC7DC2C7E97847"><enum>(A)</enum><text>by striking <quote>An Inspector General</quote> and inserting <quote>(1) An Inspector General</quote>;</text></subparagraph>

<subparagraph id="H01590D2FE2AD4E18B967CA04FDD4E273"><enum>(B)</enum><text>by inserting after <quote>by the President</quote> the following: <quote>in accordance with paragraph (2)</quote>; and</text></subparagraph>

<subparagraph id="H6DBB02900F7A4CCBB0C4AA4771666A4B"><enum>(C)</enum><text>by inserting at the end the following new paragraph:</text>

<quoted-block id="HAE5FBBD506EF46D9B6AB32F829BBD934" style="OLC">

<paragraph id="H2165C58D0FBF46388673E9B6FA327721"><enum>(2)</enum><text>The President may remove an Inspector General only for any of the following grounds:</text>

<subparagraph id="H587736EEFBF94B1BAB224DF739172772"><enum>(A)</enum><text>Permanent incapacity.</text></subparagraph>

<subparagraph id="H6A3495B159DB4A53A2BAEF26FEF89BCC"><enum>(B)</enum><text>Inefficiency.</text></subparagraph>

<subparagraph id="HECBCF4FAD0F54219BB16F01E5810306A"><enum>(C)</enum><text>Neglect of duty.</text></subparagraph>

<subparagraph id="H673C914FD2C4481F81A16FF6F752314E"><enum>(D)</enum><text>Malfeasance.</text></subparagraph>

<subparagraph id="H280B6C6E10AE4CB3B71DEB6DE9979FFB"><enum>(E)</enum><text>Conviction of a felony or conduct involving moral turpitude.</text></subparagraph>

<subparagraph id="HEB4F854DACE3421A8FA8D7B22BC4A8E6"><enum>(F)</enum><text>Knowing violation of a law, rule, or regulation.</text></subparagraph>

<subparagraph id="HDBE16C360C0C47A4A130852659CC1BB0"><enum>(G)</enum><text>Gross mismanagement.</text></subparagraph>

<subparagraph id="H0FDEC761507B45CE9007BADAD1D0FAD7"><enum>(H)</enum><text>Gross waste of funds.</text></subparagraph>

<subparagraph id="HF1F03DEE9E8D47EFBF37382691F3727F"><enum>(I)</enum><text>Abuse of authority.</text></subparagraph></paragraph><after-quoted-block>; and</after-quoted-block></quoted-block></subparagraph></paragraph>

<paragraph id="H2DA918D304864F68859CAFA7A5DF9F9"><enum>(2)</enum><text>in section 8G(e)(2), by adding at the end the following new sentence: "An Inspector General may be removed only for any of the following grounds:</text>

<quoted-block id="H5C97C0C370DE477688FC459F85DAD908" style="OLC">

<subparagraph id="H6A4B93A4D42C4D5B803DA01593CFE7B5"><enum>(A)</enum><text>Permanent incapacity.</text></subparagraph>

<subparagraph id="H21CE340D1C2945D1AFCB15FF0417405A"><enum>(B)</enum><text>Inefficiency.</text></subparagraph>

<subparagraph id="HE7CA9EE6ACAA4E6DAB102D3A841DF72B"><enum>(C)</enum><text>Neglect of duty.</text></subparagraph>

<subparagraph id="H87D9828BD21E4A1E950E475A075499E0"><enum>(D)</enum><text>Malfeasance.</text></subparagraph>

<subparagraph id="H7972FED6414A4595BFD52716B3E25217"><enum>(E)</enum><text>Conviction of a felony or conduct involving moral turpitude.</text></subparagraph>

<subparagraph id="H75C09E0455CD4D5FBAA3FEC9DBDB3F7C"><enum>(F)</enum><text>Knowing violation of a law, rule, or regulation.</text></subparagraph>

<subparagraph id="H78FE47E638C9401B9A9D445C6F86C9FD"><enum>(G)</enum><text>Gross mismanagement.</text></subparagraph>

<subparagraph id="HDD80A553898C4EC4861CE0E7CE9E2FDF"><enum>(H)</enum><text>Gross waste of funds.</text></subparagraph>

<subparagraph id="H7599C6C49CB34F10BE28EA012719E78F"><enum>(I)</enum><text>Abuse of authority.</text></subparagraph><after-quoted-block>.</after-quoted-block></quoted-block></paragraph></subsection></section>

<section id="HC05513F451D34D3387DE73BEAE0A0701"><enum>70105.</enum><header>USPS Inspector General oversight responsibilities</header><text display-inline="no-display-inline">The Inspector General of the United States Postal Service shallâ€</text>

<paragraph id="HD6727585ED2E4E05BF75815E2038D013"><enum>(1)</enum><text>conduct oversight, audits, and investigations of projects and activities carried out with funds provided in division A of this Act to the United States Postal Service; and</text></paragraph>

<paragraph id="H586BF89C29294711BFC86DCE24A351BE"><enum>(2)</enum><text>not less than 90 days after the Postal Service commences use of funding provided by division A of this Act, and annually thereafter, initiate an audit of the Postal Service's use of appropriations and borrowing authority provided by any division of this Act, including the use of funds to cover lost revenues, costs due to COVIDâ€19, and expenditures, and submit a copy of such audit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and the Committees on Appropriations of the House of Representatives and the Senate.</text></paragraph></section></title>

<title id="H32DE998B7CF34E7D81C4AEC07B21DE20"><enum>II</enum><header>Census Matters</header>

<section id="HA1B3D1FFD8014B9D8E1F177F0011C258"><enum>70201.</enum><header>Modification of 2020 census deadlines and tabulation of population</header>

<subsection id="HDEC2C18A023849E7AFADDEE6ABD683CBF"><enum>(a)</enum><header>Deadline modification</header><text>Notwithstanding the timetables provided in sections 141(b) and (c) of title 13, United States Code, and section 22(a) of the Act entitled "An Act to provide for the fifteenth and subsequent decennial censuses and to provide for an apportionment of Representatives in Congress", approved June 18, 1929 (2 U.S.C. 2a(a)), for the 2020 decennial census of the populationâ€</text>

<paragraph id="H27B3FE28B4AD48FF8FFE7F2B4A8ADC24"><enum>(1)</enum><text>the tabulation of total population by States required by section 141(a) of such title for the apportionment of Representatives in Congress among the several States shall be completed and reported by the Secretary to the President within 13 months after the decennial census date of April 1, 2020, and shall be made public by the Secretary no later than the date on which it is reported to the President;</text></paragraph>

<paragraph id="H9355924BF225440E986017F9B61792D2"><enum>(2)</enum><text>the President shall transmit to the Congress a statement showing the whole number of persons in each State, and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives, as required by such section 22(a), and determined solely as described therein, within 14 days after receipt of the tabulation reported by the Secretary; and</text></paragraph>

<paragraph id="H11994BABD88341D6AA6709C94C1CF37A"><enum>(3)</enum><text>the tabulations of populations required by section 141(c) of such title shall be completed by the Secretary as expeditiously as possible after the census date of April 1, 2020, taking into account each State's deadlines for legislative apportionment or districting, and reported to the Governor of the State involved and to the officers or public bodies having responsibility for legislative apportionment or districting of such State, except that such tabulations of population of each State requesting a tabulation plan, and basic tabulations of population of each other State, shall be completed, reported, and transmitted to each respective State within 16 months after the decennial census date of April 1, 2020.</text></paragraph></subsection>

<subsection id="HA22E3E32E4344FECBC0E66D1DDEB0DED"><enum>(b)</enum><header>Quality</header><text>Data products and tabulations produced by the Bureau of the Census pursuant to sections 141(b) or (c) of title 13, United States Code, in connection with the 2020 decennial census shall meet the same or higher data quality standards as similar products produced by the Bureau of the Census in connection with the 2010 decennial census.</text></subsection></section>

<section id="H5C8D4C3F39F943D881A062D6679FF75D"><enum>70202.</enum><header>Reporting requirements for 2020 census</header><text display-inline="no-display-inline">On the first day of each month during the period between the date of enactment of this Act and July 1, 2021, the Director of the Bureau of the Census shall submit, to the Committee on Oversight and Reform of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committees on Appropriations of the House and the Senate, a report regarding the 2020 decennial census of population containing the following information:</text>

<paragraph id="H3EB850D568B54AE59BF6A06B2C7C10AB"><enum>(1)</enum><text>The total number of field staff, sorted by category, hired by the Bureau compared to the number of field staff the Bureau estimated was necessary to carry out such census.</text></paragraph>

<paragraph id="H89D23EC6A105466C9825887B5AD35FC7"><enum>(2)</enum><text>Retention rates of such hired field staff.</text></paragraph>

<paragraph id="HC7C808C4DE4A481FA2B21A73F085F987"><enum>(3)</enum><text>Average wait time for call center calls and average wait time for each language provided.</text></paragraph>

<paragraph id="H32ADA5EF6D09439E9F4D0C14CAD84780"><enum>(4)</enum><text>Anticipated schedule of such census operations.</text></paragraph>

<paragraph id="HD45CB2B6A92C4285AF0B05AD876A945E"><enum>(5)</enum><text>Total tabulated responses, categorized by race and Hispanic origin.</text></paragraph>

<paragraph id="HCB94828AFC3C421D96D5F85E730BDA2F"><enum>(6)</enum><text>Total appropriations available for obligation for such census and a categorized list of total disbursements.</text></paragraph>

<paragraph id="H6B98EDD91B514DC4905F97CCF02BE776"><enum>(7)</enum><text>Non-Response Follow-Up completion rates by geographic location.</text></paragraph>

<paragraph id="HA9798D2CA67E4D72901F10D57313744B"><enum>(8)</enum><text>Update/Enumerate and Update/Leave completion rates by geographic location.</text></paragraph>

<paragraph id="H514311801B8C4CD6B0DF8DEBBE655EFC"><enum>(9)</enum><text>Total spending to date on media, advertisements, and partnership specialists, including a geographic breakdown of such spending.</text></paragraph>

<paragraph id="HBBFE26C58AB54F2FBCB4BAF6DE402484"><enum>(10)</enum><text>Post-enumeration schedule and subsequent data aggregation and delivery progress.</text></paragraph></section>

<section id="HF589ED3695164F568779A97B998A373D"><enum>70203.</enum><header>Providing Bureau of the Census access to information from institutions of higher education</header>

<subsection id="HB594FE29A039422DA706B3145BF20276"><enum>(a)</enum><header>In general</header><text>Notwithstanding any other provision of law, including section 444 of the General Education Provisions Act (commonly known as the <quote>Family Educational Rights and Privacy Act of 1974</quote>), an institution of higher education may, in furtherance of a full and accurate decennial census of population count, provide to the Bureau of the Census information requested by the Bureau for purposes of enumeration for the 2020 decennial census of population.</text></subsection>

<subsection id="H50DCF11730C7424BA8E68EB4102D2669"><enum>(b)</enum><header>Application</header>

<paragraph id="H9A45801E54F34A8A86E195684DE57015"><enum>(1)</enum><header>Information</header><text>Only information requested on the official 2020 decennial census of population form may be provided to the Bureau of the Census pursuant to this section. No institution of higher education may provide any information to the Bureau on the immigration or citizenship status of any individual.</text></paragraph>

<paragraph id="H1DBDE971E49A4C79BD0C18CE5C136EE5"><enum>(2)</enum><header>Notice required</header><text>Before information can be provided to the Bureau, the institution of higher education shall give public notice of the categories of information which it plans to provide and shall allow 10 days after such notice has been given for a student to inform the institution that any or all of the information designated should not be released without the student's prior consent. No institution of higher education shall provide the Bureau with the information of any individual who has objected to the provision of such information.</text></paragraph>

<paragraph id="H510B0FCE5A364226B7F903F60512F680"><enum>(3)</enum><header>Use of information</header><text>Information provided to the Bureau pursuant to this section may only be used for the purposes of enumeration for the 2020 decennial census of population.</text></paragraph></subsection>

<subsection id="HA8830C969EF844A98B13B17A8340DCEB"><enum>(c)</enum><header>Definition of institution of higher education</header><text>In this section, the term <term>institution of higher education</term> has the meaning given that term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).</text></subsection>

<subsection id="HED31382E1C17445DB0266752504B4717"><enum>(d)</enum><header>Sunset</header><text>The authority provided in this section shall expire at the conclusion of 2020 census operations.</text></subsection></section>

<section id="H0022F431BE8F43B998F1E95A1BFA86EA"><enum>70204.</enum><header>Limitation on tabulation of certain data</header>

<subsection id="H59DBEEA584E243E39912FFFFEF7F3C9A8"><enum>(a)</enum><header>Limitation</header><text>The Bureau of the Census may not compile or produce any data product or tabulation as part of, in combination with, or in connection with, the 2020 decennial census of population or any such census data produced pursuant to section 141(c) of title 13, United States Code, that is based in whole or in part on data that is not collected in such census.</text></subsection>

<subsection id="HB5D7EDC8D5FD4EFCB5330490F288E673"><enum>(b)</enum><header>Exception</header><text>The limitation in subsection (a) shall not apply to any data product or tabulation that is required by sections 141(b) or (c) of such title, that uses the same or substantially similar methodology and data sources as a decennial census data product

produced by the Bureau of the Census before January 1, 2019, or that uses a methodology and data sources that the Bureau of the Census finalized and made public prior to January 1, 2018.

III
Federal Workforce

70301.
COVID-19 teleworking requirements for Federal employees

(a)
Mandated telework

(1)
In general
Effective immediately upon the date of enactment of this Act, the head of any Federal agency shall require any employee of such agency who is authorized to telework under chapter 65 of title 5, United States Code, or any other provision of law to telework during the period beginning on the date of enactment of this Act and ending on December 31, 2020.

(2)
Definitions
In this subsection—

(A)
the term **employee** means—

(i)
an employee of the Library of Congress;

(ii)
an employee of the Government Accountability Office;

(iii)
a covered employee as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), other than an applicant for employment;

(iv)
a covered employee as defined in section 411(c) of title 3, United States Code;

(v)
a Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code; or

(vi)
any other individual occupying a position in the civil service (as that term is defined in section 2101(1) of title 5, United States Code); and

(B)
the term **telework** has the meaning given that term in section 6501(3) of such title.

(b)
Telework participation goals
Chapter 65 of title 5, United States Code, is amended as follows:

(1)
In section 6502—

(A)
in subsection (b)—

(i)
in paragraph (4), by striking **and** at the end;

(ii)
in paragraph (5), by striking the period at the end and inserting a semicolon; and

(iii)
by adding at the end the following:

H9A34D9952BC049E8ACBDC751CDA08424 style="OLC">

<paragraph id="H6087AC306F154B9DA44956D10AF9B20D"><enum>(6)</enum><text>include annual goals for increasing the percent of employees of the executive agency participating in teleworking–</text>

<subparagraph id="H21D2C382494449869EEC58F56DA5BA28"><enum>(A)</enum><text>three or more days per pay period;</text></subparagraph>

<subparagraph id="H88AF960889234618A2EAACB1E5D12DEA"><enum>(B)</enum><text>one or 2 days per pay period;</text></subparagraph>

<subparagraph id="H30481A30E3C940D598CE5B92F1C86C69"><enum>(C)</enum><text>once per month; and</text></subparagraph>

<subparagraph id="HE7CF9CDF93744489818E65DF09F28A84"><enum>(D)</enum><text>on an occasional, episodic, or short-term basis; and</text></subparagraph></paragraph>

<paragraph id="HBDE113357C7940AC874C24D9EC329F6F" commented="no"><enum>(7)</enum><text>include methods for collecting data on, setting goals for, and reporting costs savings to the executive agency achieved through teleworking, consistent with the guidance developed under section 70302 (c) of the HEROES Act.</text></paragraph><after-quoted-block>; and</after-quoted-block></quoted-block></clause></subparagraph>

<subparagraph id="HE4FD594B545A4B8490A7F30111289A57"><enum>(B)</enum><text>by adding at the end the following:</text>

<quoted-block id="HC374E37AB1BE4A038C47F2FC94E44192" style="OLC">

<subsection id="HE274EEA1EAE24A2D85D603347017AF34"><enum>(d)</enum><header>Notification for reduction in teleworking participation</header><text>Not later than 30 days before the date that an executive agency implements or modifies a teleworking plan that would reduce the percentage of employees at the agency who telework, the head of the executive agency shall provide written notification, including a justification for the reduction in telework participation and a description of how the agency will pay for any increased costs resulting from that reduction, to–</text>

<paragraph id="H032CBF067B734A59B207A367D83C260C"><enum>(1)</enum><text>the Director of the Office of Personnel Management;</text></paragraph>

<paragraph id="H4249594546854CE5A9F79882289753AC"><enum>(2)</enum><text>the Committee on Oversight and Reform of the House of Representatives; and</text></paragraph>

<paragraph id="HF2AE17795B604264BD27A173D6A3FB8C"><enum>(3)</enum><text>the Committee on Homeland Security and Governmental Affairs of the Senate.</text></paragraph></subsection>

<subsection id="HDD4493157D2B435797EF232741288F03"><enum>(e)</enum><header>Prohibition on agency-wide limits on teleworking</header><text>An agency may not prohibit any delineated period of teleworking participation for all employees of the agency, including the periods described in subparagraphs (A) through (D) of subsection (b) (6). The agency shall make any teleworking determination with respect to an employee or group of employees at the agency on a case-by-case basis.</text></subsection><after-quoted-block>.</after-quoted-block></quoted-block></subparagraph></paragraph>

<paragraph id="H726F5974344C420292EA1CC89FB56D68"><enum>(2)</enum><text>In section 6506 (b) (2) –</text>

<subparagraph id="H085B8080ECE24F3391A590F34378AC41"><enum>(A)</enum><text>in subparagraph (F) (vi), by striking <quote>and</quote> at the end;</text></subparagraph>

<subparagraph id="HF68BBA02337B42DFB55539EC72BECAD5"><enum>(B)</enum><text>in subparagraph (G), by striking the period at the end and inserting a semicolon; and</text></subparagraph>

<subparagraph id="H777553C5D31541189DF5EC6DCD2190DD"><enum>(C)</enum><text>by adding at the end the following:</text>

<quoted-block id="HEE8006B89B114713BD5BC23AEAD1B749" style="OLC">

<subparagraph id="H726489817C09464E950C464994CC5174"><enum>(H)</enum><text>agency cost savings achieved through teleworking, consistent with the guidance developed under section 2(c) of the Telework Metrics and Cost Savings Act; and</text></subparagraph>

<subparagraph id="H4E5A64AF247441F1A37FE455B6284B83"><enum>(I)</enum><text>a detailed explanation of a plan to increase the Government-wide teleworking participation rate above such rate applicable to fiscal year 2016, including agency-level plans to maintain or improve such rate for each of the teleworking frequency categories listed under subparagraph (A) (iii).</text></subparagraph><after-quoted-block></after-quoted-block></quoted-block></subparagraph></paragraph></subsection>

<subsection id="H83801913C93449EDA71B7DD7B687DD52"><enum>(c)</enum><header>Guidance</header><text>Not later than 90 days after the date of the enactment of this Act, the Director of the Office of Personnel Management, in collaboration with the Chief Human Capital Officer Council, shall establish uniform guidance for agencies on how to collect data on, set goals for, and report cost savings achieved through, teleworking. Such guidance shall account for cost savings related to travel, energy use, and real estate.</text></subsection>

<subsection id="H5CA5246671034C26AF632D198F03BA67"><enum>(d)</enum><header>Technical correction</header><text>Section 6506(b) (1) of title 5, United States Code, is amended by striking <quote>with Chief</quote> and inserting <quote>with the Chief</quote>.</text></subsection></section>

<section id="H5FA765A70B6C4F65B439C703C206C416"><enum>70302.</enum><header>Retirement for certain employees</header>

<subsection id="H36018CEACCC4EC782DED7CE48053F8F"><enum>(a)</enum><header>CSRS</header><text>Section 8336(c) of title 5, United States Code, is amended by adding at the end the following:</text>

<quoted-block id="H83A5F2FF61134DB892D00815D99473F7" style="OLC">

<paragraph id="HE1EFC2D8FB89476394AED612BA5C1BC6"><enum>(3)</enum>

<subparagraph id="H8D3497C621C846E7A4025E2429D40069" display-inline="yes-display-inline"><enum>(A)</enum><text>In this paragraphâ€

<clause id="H743DF98AE15F442FB02E2B43CAC625B5"><enum>(i)</enum><text>the term <term>affected individual</term> means an individual covered under this subchapter whoâ€

<subclause id="H4E355B0360A643D591AB704DCC6A2BBD"><enum>(I)</enum><text>is performing service in a covered position;</text></subclause>

<subclause id="H12E9C10D08684229B075EB1E8B9D5774"><enum>(II)</enum><text>is diagnosed with COVIDâ€19 before the date on which the individual becomes entitled to an annuity under paragraph (1) of this subsection or subsection (e), (m), or (n), as applicable;</text></subclause>

<subclause id="HA653C0F519C340F1BBFF462DA4E799B9"><enum>(III)</enum><text>because of the illness described in subclause (II), is permanently unable to render useful and efficient service in the employeeâ€s covered position, as determined by the agency in which the individual was serving when such individual incurred the illness; and</text></subclause>

<subclause id="H478DA9C464A5445E9D6459D9558DA31F"><enum>(IV)</enum><text>is appointed to a position in the civil service thatâ€

<item id="HED10E6C36B08484ABFC01D399F5A7FC1"><enum>(aa)</enum><text>is not a covered position; and</text></item>

<item id="HACA5C8E16647461CAA6936F3A5CCD52F"><enum>(bb)</enum><text>is within an agency that regularly appoints individuals to supervisory or administrative positions related to the activities of the former covered position of the individual;</text></item></subclause></clause>

<clause id="HABC33880B65F4D49A1608C7801D5D677"><enum>(ii)</enum><text>the term <term>covered position</term> means a position as a law enforcement officer, customs and border protection officer, firefighter, air traffic controller, nuclear materials courier, member of the Capitol Police, or member of the Supreme Court Police; and</text></clause>

<clause id="HA8A147C944034D0B80FF8EEDF1369D8F"><enum>(iii)</enum><text>the term

<term>COVIDâ€"19</term> means the 2019 Novel Coronavirus or 2019-nCoV.</text></clause></subparagraph>

<subparagraph id="H7B54A964845C4904BFE913CBB3C4ACC6"><enum>(B)</enum><text>Unless an affected individual files an election described in subparagraph (E), creditable service by the affected individual in a position described in subparagraph (A)(i)(IV) shall be treated as creditable service in a covered position for purposes of this chapter and determining the amount to be deducted and withheld from the pay of the affected individual under section 8334.</text></subparagraph>

<subparagraph id="H9F80764EFF384A3E9E9B623DD7110B17"><enum>(C)</enum><text>Subparagraph (B) shall only apply if the affected employee transitions to a position described in subparagraph (A)(i)(IV) without a break in service exceeding 3 days.</text></subparagraph>

<subparagraph id="HF0DF9C38E05E464FA418717CF06A368E"><enum>(D)</enum><text>The service of an affected individual shall no longer be eligible for treatment under subparagraph (B) if such service occurs after the individualâ€"</text>

<clause id="HD5507987C50E48A39FBA7AFC37FF9BC8"><enum>(i)</enum><text>is transferred to a supervisory or administrative position related to the activities of the former covered position of the individual; or</text></clause>

<clause id="H79AA0B495B914CAFB5B2ADD20B8B007B"><enum>(ii)</enum><text>meets the age and service requirements that would subject the individual to mandatory separation under section 8335 if such individual had remained in the former covered position.</text></clause></subparagraph>

<subparagraph id="H88AB4F8FD57A42B6A9A0EE4251A15616"><enum>(E)</enum><text>In accordance with procedures established by the Director of the Office of Personnel Management, an affected individual may file an election to have any creditable service performed by the affected individual treated in accordance with this chapter without regard to subparagraph (B).</text></subparagraph>

<subparagraph id="HE800B7C5F1D34143998EE50C215CD1BC"><enum>(F)</enum><text>Nothing in this paragraph shall be construed to apply to such affected individual any other pay-related laws or regulations applicable to a covered position.</text></subparagraph></paragraph><after-quoted-block></after-quoted-block></quoted-block></subsection>

<subsection id="HF54D5D5CB0104746BAC690B47A126439"><enum>(b)</enum><header>FERS</header>

<paragraph id="HEB7D4922A28C4A598FEC47A010C47884"><enum>(1)</enum><header>In general</header><text>Section 8412(d) of title 5, United States Code, is amendedâ€"</text>

<subparagraph id="HE7BB0DF38E1D4FF19BA7EE84546405F5"><enum>(A)</enum><text>by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;</text></subparagraph>

<subparagraph id="H6149CB4EAB364795BB09ACEDAAA8D7F4"><enum>(B)</enum><text>by inserting <quote>(1)</quote> before <quote>An employee</quote>; and</text></subparagraph>

<subparagraph id="HB38F7E66F931449CBF6E87DFE1D7BDFF"><enum>(C)</enum><text>by adding at the end the following:</text>

<quoted-block id="HDC0F67E0FB9940018FEAB1C2925745B7" style="OLC">

<paragraph id="H77FB34C9FBB04B58B75739A2BB9CF627"><enum>(2)</enum>

<subparagraph id="H76B08C8F42134895B0FF2344CDBC11B6" display-inline="yes-display-inline"><enum>(A)</enum><text>In this paragraphâ€"</text>

<clause id="HB80A47601B4D4ECDAB14E8C4FE9A0641"><enum>(i)</enum><text>the term <term>affected individual</term> means an individual covered under this chapter whoâ€"</text>

<subclause id="H0636D8403EF645DEA96618054DD34FB6"><enum>(I)</enum><text>is performing service in a covered position;</text></subclause>

<subclause id="HAB320383AC3541BCA85F8C6F3453D537"><enum>(II)</enum><text>is diagnosed

with COVIDâ€"19 before the date on which the individual becomes entitled to an annuity under paragraph (1) of this subsection or subsection (e), as applicable;</text></subclause>

<subclause id="H0DF3FD427D2648B8B19474624E1C7500"><enum>(III)</enum><text>because of the illness described in subclause (II), is permanently unable to render useful and efficient service in the employeeâ€™s covered position, as determined by the agency in which the individual was serving when such individual incurred the illness; and</text></subclause>

<subclause id="H0A7612E498B14D53874A7F9F5A0DBC35"><enum>(IV)</enum><text>is appointed to a position in the civil service thatâ€"</text>

<item id="HA73CF09199F54ABEB9F59E96C08A81D0"><enum>(aa)</enum><text>is not a covered position; and</text></item>

<item id="H5962FD28D16541DA8CE7817392211B5D"><enum>(bb)</enum><text>is within an agency that regularly appoints individuals to supervisory or administrative positions related to the activities of the former covered position of the individual;</text></item></subclause></clause>

<clause id="H4737647757E24AFF805CA71EC4B63D86"><enum>(ii)</enum><text>the term <term>covered position</term> means a position as a law enforcement officer, customs and border protection officer, firefighter, air traffic controller, nuclear materials courier, member of the Capitol Police, or member of the Supreme Court Police; and</text></clause>

<clause id="H60396358D1FD4C62A297BEDD01934A1F"><enum>(iii)</enum><text>the term <term>COVIDâ€"19</term> means the 2019 Novel Coronavirus or 2019-nCoV.</text></clause></subparagraph>

<subparagraph id="HE6C90FD66E48414ABE549E1945C65ACA"><enum>(B)</enum><text>Unless an affected individual files an election described in subparagraph (E), creditable service by the affected individual in a position described in subparagraph (A) (i) (IV) shall be treated as creditable service in a covered position for purposes of this chapter and determining the amount to be deducted and withheld from the pay of the affected individual under section 8422.</text></subparagraph>

<subparagraph id="H397CDB76C6D843179ECA5D64585C1CB8"><enum>(C)</enum><text>Subparagraph (B) shall only apply if the affected employee transitions to a position described in subparagraph (A) (i) (IV) without a break in service exceeding 3 days.</text></subparagraph>

<subparagraph id="HD593535103344F478A176EBD194FA4BC"><enum>(D)</enum><text>The service of an affected individual shall no longer be eligible for treatment under subparagraph (B) if such service occurs after the individualâ€"</text>

<clause id="H06072A4677A54CB6A77E4C6735F5DCB2"><enum>(i)</enum><text>is transferred to a supervisory or administrative position related to the activities of the former covered position of the individual; or</text></clause>

<clause id="H2F43C251852440928C416C134F65CB99"><enum>(ii)</enum><text>meets the age and service requirements that would subject the individual to mandatory separation under section 8425 if such individual had remained in the former covered position.</text></clause></subparagraph>

<subparagraph id="H11409FA46FBE4E86974868ED4D3D94F6"><enum>(E)</enum><text>In accordance with procedures established by the Director of the Office of Personnel Management, an affected individual may file an election to have any creditable service performed by the affected individual treated in accordance with this chapter without regard to subparagraph (B).</text></subparagraph>

<subparagraph id="H66C3B1F9E5024274A882A94F860EEC98"><enum>(F)</enum><text>Nothing in this paragraph shall be construed to apply to such affected individual any other pay-related laws or regulations applicable to a covered position.</text></subparagraph></paragraph><after-quoted-block></after-quoted-block></quoted-block></subparagraph></paragraph>

<paragraph id="H3CD3C6F2DF364914874A83E98093B3C1"><enum>(2)</enum><header>Technical and conforming amendments</header>

<subparagraph id="HD5B9E9EE7E7844FA88B3511FE41FFEF8"><enum>(A)</enum><text>Chapter 84 of title 5, United States Code, is amendedâ€" </text>

<clause id="H4E31B2429F70414290223588ED919A6E"><enum>(i)</enum><text>in section 8414(b)(3), by inserting <quote>(1)</quote> after <quote>subsection (d)</quote>;</text></clause>

<clause id="HB542F44C54584BFC9F6BC6FCDC2D9B9B"><enum>(ii)</enum><text>in section 8415â€" </text>

<subclause id="HA4B4E6DAE04F4F53AEA3B3C826DF6A44"><enum>(I)</enum><text>in subsection (e), in the matter preceding paragraph (1), by inserting <quote>(1)</quote> after <quote>subsection (d)</quote>; and</text></subclause>

<subclause id="H7281B1840D8148DE97820B5612017522"><enum>(II)</enum><text>in subsection (h)(2)(A), by striking <quote>(d)(2)</quote> and inserting <quote>(d)(1)(B)</quote>;</text></subclause></clause>

<clause id="HE5407316E4A14C3B8D8FE1365A7A54E3"><enum>(iii)</enum><text>in section 8421(a)(1), by inserting <quote>(1)</quote> after <quote>(d)</quote>;</text></clause>

<clause id="H8A5A3FEC9ED74148A1427FE527605D34"><enum>(iv)</enum><text>in section 8421a(b)(4)(B)(ii), by inserting <quote>(1)</quote> after <quote>section 8412(d)</quote>;</text></clause>

<clause id="HAD5520BAAC1645028646BD5143028659"><enum>(v)</enum><text>in section 8425, by inserting <quote>(1)</quote> after <quote>section 8412(d)</quote> each place it appears; and</text></clause>

<clause id="HA852E047486649768B80F2B40190E4A7"><enum>(vi)</enum><text>in section 8462(c)(3)(B)(ii), by inserting <quote>(1)</quote> after <quote>subsection (d)</quote>.</text></clause></subparagraph>

<subparagraph id="H8B6DE8E448F54650B9BFD4A3913CFEE3"><enum>(B)</enum><text>Title VIII of the Foreign Service Act of 1980 (22 U.S.C. 4041 et seq.) is amendedâ€" </text>

<clause id="H4FC83B01B5584A30A34C721E9616D543"><enum>(i)</enum><text>in section 805(d)(5) (22 U.S.C. 4045(d)(5)), by inserting <quote>(1)</quote> after <quote>or 8412(d)</quote>; and</text></clause>

<clause id="H5011A247F72546BFACF65FAA5CD450F2"><enum>(ii)</enum><text>in section 812(a)(2)(B) (22 U.S.C. 4052(a)(2)(B)), by inserting <quote>(1)</quote> after <quote>or 8412(d)</quote>.</text></clause></subparagraph></paragraph></subsection>

<subsection id="H97A7214E5525414F8EBD011B01C48B86"><enum>(c)</enum><header>CIA employees</header><text>Section 302 of the Central Intelligence Agency Retirement Act (50 U.S.C. 2152) is amended by adding at the end the following:</text>

<quoted-block id="HC15A484A2CC440AB8C80386E7D252FA0" style="OLC">

<subsection id="H8B821AEA3D934810A805D9532FCF60F7"><enum>(d)</enum><header>Employees disabled on duty</header>

<paragraph id="HE3D7AC375241477EB85568AA260680CF"><enum>(1)</enum><header>Definitions</header><text>In this subsectionâ€" </text>

<subparagraph id="H79E92D2C5E7A4C83AC4676FA4180B744"><enum>(A)</enum><text>the term <term>affected employee</term> means an employee of the Agency covered under subchapter II of chapter 84 of title 5, United States Code, whoâ€" </text>

<clause id="H34FFE164F76843529C6B50422D780D12"><enum>(i)</enum><text>is performing service in a position designated under subsection (a);</text></clause>

<clause id="H81B4D7F02165447484A112125D2F0489"><enum>(ii)</enum><text>is diagnosed with COVIDâ€"19 before the date on which the employee becomes entitled to an annuity under section 233 of this Act or section 8412(d)(1) of title 5, United States Code;</text></clause>

<clause id="H763322E8F59844C3971FB88ABE8EBA99"><enum>(iii)</enum><text>because of the illness described in clause (ii), is permanently unable to render useful and efficient service in the employeeâ€™s covered position, as determined by the Director;

and</text></clause>

<clause id="H2F1E1E23DD1B493390EDB28B0E3BB7E8"><enum>(iv)</enum><text>is appointed to a position in the civil service that is not a covered position but is within the Agency;</text></clause></subparagraph>

<subparagraph id="H878F7547208449AABAF71823F2929440"><enum>(B)</enum><text>the term <term>covered position</term> means a position asâ€</text>

<clause id="HED3F80D57F3C490BA56B581E464B3B67"><enum>(i)</enum><text>a law enforcement officer described in section 8331(20) or 8401(17) of title 5, United States Code;</text></clause>

<clause id="HC8F0FA84C5EC490681DB14378AA9CBA3"><enum>(ii)</enum><text>a customs and border protection officer described in section 8331(31) or 8401(36) of title 5, United States Code;</text></clause>

<clause id="H7FC7434A1B144C9F89F66430FB9E1009"><enum>(iii)</enum><text>a firefighter described in section 8331(21) or 8401(14) of title 5, United States Code;</text></clause>

<clause id="H91BDB20FE1094D20B4251443800DD6B5"><enum>(iv)</enum><text>an air traffic controller described in section 8331(30) or 8401(35) of title 5, United States Code;</text></clause>

<clause id="HA849558C4434400CB89F8E33CBDCBDCE"><enum>(v)</enum><text>a nuclear materials courier described in section 8331(27) or 8401(33) of title 5, United States Code;</text></clause>

<clause id="HF8D6D85BEFC049AA8A3617E4D61A754C"><enum>(vi)</enum><text>a member of the United States Capitol Police;</text></clause>

<clause id="HF380ECAB0E394617A552B514DF5AA0F7"><enum>(vii)</enum><text>a member of the Supreme Court Police;</text></clause>

<clause id="H1E4522C9A24540C29567C018FB72050E"><enum>(viii)</enum><text>an affected employee; or</text></clause>

<clause id="HC2C60F4A387B4998AEEAC632BB749536"><enum>(ix)</enum><text>a special agent described in section 804(15) of the Foreign Service Act of 1980 (22 U.S.C. 4044(15)); and</text></clause></subparagraph>

<subparagraph id="HA47CDA0FBD0A4914BFA3A6470DD2C984"><enum>(C)</enum><text>the term <term>COVIDâ€19</term> means the 2019 Novel Coronavirus or 2019-nCoV.</text></subparagraph></paragraph>

<paragraph id="H42016E55B7D843F9B59ECE98FB342044"><enum>(2)</enum><header>Treatment of service after disability</header><text>Unless an affected employee files an election described in paragraph (3), creditable service by the affected employee in a position described in paragraph (1) (A) (iv) shall be treated as creditable service in a covered position for purposes of this Act and chapter 84 of title 5, United States Code, including eligibility for an annuity under section 233 of this Act or 8412(d) (1) of title 5, United States Code, and determining the amount to be deducted and withheld from the pay of the affected employee under section 8422 of title 5, United States Code.</text></paragraph>

<paragraph id="H0450E1C735894774942997EF825F32F5"><enum>(3)</enum><header>Break in service</header><text>Paragraph (2) shall only apply if the affected employee transitions to a position described in paragraph (1) (A) (iv) without a break in service exceeding 3 days.</text></paragraph>

<paragraph id="H50B7FA7972924A8595BCB4012E9E5BA9"><enum>(4)</enum><header>Limitation on treatment of service</header><text>The service of an affected employee shall no longer be eligible for treatment under paragraph (2) if such service occurs after the employee is transferred to a supervisory or administrative position related to the activities of the former covered position of the employee.</text></paragraph>

<paragraph id="H00A100D93627400D9E7985FB322364A0"><enum>(5)</enum><header>Opt out</header><text>An affected employee may file an election to have any creditable service performed by the affected employee treated in accordance with chapter 84 of title 5, United States Code, without regard to paragraph

(2).</text></paragraph></subsection><after-quoted-block>.</after-quoted-block></quoted-

block></subsection>

<subsection id="HA22683BAC01C4015A704A336D5AF4287"><enum>(d)</enum><header>Foreign service retirement and disability system</header><text>Section 806(a)(6) of the Foreign Service Act of 1980 (22 U.S.C. 4046(a)(6)) is amended by adding at the end the following:</text>

<quoted-block style="OLC" id="H2E99718AEFB0410BA0345954493A34C6" display-inline="no-display-inline">

<subparagraph id="HCF2B4791764D4B4B8A550C88404CE15D"><enum>(D)</enum>

<clause id="H6CF493D4FCF54F72B42DF484CA9A493B" display-inline="yes-display-inline"><enum>(i)</enum><text>In this subparagraphâ€

<subclause id="H16022F97972E4A9EB52DF2B30577E60A"><enum>(I)</enum><text>the term <term>affected special agent</term> means an individual covered under this subchapter whoâ€

<item id="HBF3294FFB2714F1E821B4D2E87C44786"><enum>(aa)</enum><text>is performing service as a special agent;</text></item>

<item id="H2C749B0DD48E4C46A77AA892586E51A4"><enum>(bb)</enum><text>is diagnosed with COVIDâ€19 before the date on which the individual becomes entitled to an annuity under section 811;</text></item>

<item id="H997F6FB407E0476AA4F53F4FF2809213"><enum>(cc)</enum><text>because of the illness described in item (bb), is permanently unable to render useful and efficient service in the employeeâ€™s covered position, as determined by the Secretary; and</text></item>

<item id="H64E6316237EF4E718666D502465B6C8B"><enum>(dd)</enum><text>is appointed to a position in the Foreign Service that is not a covered position;</text></item></subclause>

<subclause id="HC24521B36F134BA8ADD5DFF8D8758252"><enum>(II)</enum><text>the term <term>covered position</term> means a position asâ€

<item id="H4C5E2C4C21D24CD0BE524EB6FFFDBBCE"><enum>(aa)</enum><text>a law enforcement officer described in section 8331(20) or 8401(17) of title 5, United States Code;</text></item>

<item id="H78801409CFC849229A146E8FDD0D96DA"><enum>(bb)</enum><text>a customs and border protection officer described in section 8331(31) or 8401(36) of title 5, United States Code;</text></item>

<item id="HEA23F849BD99498EB67878F08CF82CC4"><enum>(cc)</enum><text>a firefighter described in section 8331(21) or 8401(14) of title 5, United States Code;</text></item>

<item id="H44063FEB703B46429A8864B4C0C6EC8E"><enum>(dd)</enum><text>an air traffic controller described in section 8331(30) or 8401(35) of title 5, United States Code;</text></item>

<item id="H16874D42D7F44CC78B4349925E6BE4BD"><enum>(ee)</enum><text>a nuclear materials courier described in section 8331(27) or 8401(33) of title 5, United States Code;</text></item>

<item id="HD6CE913CEACC4BDBBE03162E9BAEE582"><enum>(ff)</enum><text>a member of the United States Capitol Police;</text></item>

<item id="H4CEF77A7E4C34FE6A80563FBC67E543E"><enum>(gg)</enum><text>a member of the Supreme Court Police;</text></item>

<item id="HB5A81DD05335459BA503706A1953DAD0"><enum>(hh)</enum><text>an employee of the Agency designated under section 302(a) of the Central Intelligence Agency Retirement Act (50 U.S.C. 2152(a)); or</text></item>

<item id="H1FA2D5B4D36840DF819EC73D034DE95A"><enum>(ii)</enum><text>a special agent; and</text></item></subclause>

<subclause id="H5B439D84F6C849F6964BE8D97CE4EE6F"><enum>(III)</enum><text display-inline="yes-display-inline">the term <term>COVIDâ€19</term> means the 2019 Novel Coronavirus or 2019-nCoV.</text></subclause></clause>

<clause id="HA9E7FA4B343A4D44982F6B9205ADF4D0" indent="up1"><enum>(ii)</enum><text display-inline="yes-display-inline">Unless an affected special agent files an election described in clause (iv), creditable service by the affected special agent in a position described in clause (i) (I) (dd) shall be treated as creditable service as a special agent for purposes of this subchapter, including determining the amount to be deducted and withheld from the pay of the individual under section 805.</text></clause>

<clause id="H746AB54DD1FD4B40B3D5D32BB4A3CC6C" indent="up1"><enum>(iii)</enum><text display-inline="yes-display-inline">Clause (ii) shall only apply if the special agent transitions to a position described in clause (i) (I) (dd) without a break in service exceeding 3 days.</text></clause>

<clause id="H7339951495CB4E198944D869C2CE169F" indent="up1"><enum>(iv)</enum><text display-inline="yes-display-inline">The service of an affected employee shall no longer be eligible for treatment under clause (ii) if such service occurs after the employee is transferred to a supervisory or administrative position related to the activities of the former covered position of the employee.</text></clause>

<clause id="H0B7FEF2B4FC845AF88A53C3A65922C62" indent="up1"><enum>(v)</enum><text>In accordance with procedures established by the Secretary, an affected special agent may file an election to have any creditable service performed by the affected special agent treated in accordance with this subchapter, without regard to clause (ii).</text></clause></subparagraph><after-quoted-block>.</after-quoted-block></quoted-block></subsection>

<subsection id="H26D51FA12BDA4DF7BB0615122ED394B1"><enum>(e)</enum><header>Implementation</header>

<paragraph id="HB3FE179DD6DB4A3EA5C96C12C614F7EA"><enum>(1)</enum><header>Office of personnel management</header><text>The Director of the Office of Personnel Management shall promulgate regulations to carry out the amendments made by subsections (a) and (b).</text></paragraph>

<paragraph id="HC50458EB115343798FAF98494CE7A944"><enum>(2)</enum><header>CIA employees</header><text>The Director of the Central Intelligence Agency shall promulgate regulations to carry out the amendment made by subsection (c).</text></paragraph>

<paragraph id="H308FC9C6B7524E13B57C572953DF9E20"><enum>(3)</enum><header>Foreign service retirement and disability system</header><text>The Secretary of State shall promulgate regulations to carry out the amendment made by subsection (d).</text></paragraph>

<paragraph id="HCBE4F0E15A1347839A79E90D288F0E32"><enum>(4)</enum><header>Agency reappointment</header><text>The regulations promulgated to carry out the amendments made by this section shall ensure that, to the greatest extent possible, the head of each agency appoints affected employees or special agents to supervisory or administrative positions related to the activities of the former covered position of the employee or special agent.</text></paragraph>

<paragraph id="HD291193EEC9D4FA48018857B5987CADF"><enum>(5)</enum><header>Treatment of service</header><text>The regulations promulgated to carry out the amendments made by this section shall ensure that the creditable service of an affected employee or special agent (as the case may be) that is not in a covered position pursuant to an election made under such amendments shall be treated as the same type of service as the covered position in which the employee or agent suffered the qualifying illness.</text></paragraph></subsection>

<subsection id="H7962F5E9A20940AEA5BF1F81EA174660"><enum>(f)</enum><header>Effective date; applicability</header><text>The amendments made by this sectionâ€</text>

<paragraph id="H89B9D220F3FA4EE8B8B1347BCA58313C"><enum>(1)</enum><text>shall take effect on the date of enactment of this section; and</text></paragraph>

<paragraph id="HA56BFAAE912245E7914366D22BE329EF"><enum>(2)</enum><text>shall apply to an individual who suffers an illness described in section 8336(c) (3) (A) (i) (II) or section 8412(d) (2) (A) (i) (II) of title 5, United States Code (as amended by this section), section 302(d) (1) (A) (ii) of the Central Intelligence Agency Retirement Act (as amended by this section), or section 806(a) (6) (D) (i) (I) (bb) of the Foreign Service Act of 1980 (as amended by this section), on or after the date that is 2 years after

the date of enactment of this section.</text></paragraph></subsection></section>

<section id="HA9F5A41E90B54089A8EFFFF8FA09DE20"><enum>70303.</enum><header>Presumption of eligibility for workersâ€™ compensation benefits for Federal employees diagnosed with coronavirus</header>

<subsection id="HEECA878EC1EA4977A53849D4EC3450D3"><enum>(a)</enum><header>In general</header><text>An employee who is diagnosed with COVIDâ€™19 during the period described in subsection (b) (2) (A) shall, with respect to any claim made by or on behalf of the employee for benefits under subchapter I of chapter 81 of title 5, United States Code, be deemed to have an injury proximately caused by exposure to coronavirus arising out of the nature of the employeeâ€™s employment and be presumptively entitled to such benefits, including disability compensation, medical services, and survivor benefits.</text></subsection>

<subsection id="H42E8321F713446628419B1DE0C07CA9A"><enum>(b)</enum><header>Definitions</header><text>In this sectionâ€™</text>

<paragraph id="H27D04FF886C0496980254015797948C7"><enum>(1)</enum><text>the term <term>coronavirus</term> means SARSâ€™ CoVâ€™2 or another coronavirus with pandemic potential; and</text></paragraph>

<paragraph id="HC6160B7FAAC04392A62858501F6A06D8"><enum>(2)</enum><text>the term <term>employee</term>â€™</text>

<subparagraph id="HC77DFECA0AE444D599EAE8D825CC70BF"><enum>(A)</enum><text>means an employee as that term is defined in section 8101(1) of title 5, United States Code, (including an employee of the United States Postal Service, the Transportation Security Administration, or the Department of Veterans Affairs, including any individual appointed under chapter 73 or 74 of title 38, United States Code) employed in the Federal service at anytime during the period beginning on January 27, 2020, and ending on January 30, 2022â€™</text>

<clause id="H475B41178D9045D8ADCFCCDD14FBB26F"><enum>(i)</enum><text>who carried out duties requiring contact with patients, members of the public, or co-workers; or</text></clause>

<clause id="HBAAD6BC0F3AA4506BC3BDC08EA1CCCDE"><enum>(ii)</enum><text>whose duties include a risk of exposure to the coronavirus; and</text></clause></subparagraph>

<subparagraph id="H9673B613EF5C402990DCA8956F567BFD"><enum>(B)</enum><text>does not include any employee otherwise covered by subparagraph (A) who is teleworking on a full-time basis during all of such period.</text></subparagraph></paragraph></subsection></section></title>

<title id="HF1E6EE74DF6B4C41BFAA4A4ACAB99E01"><enum>IV</enum><header>Federal Contracting Provisions</header>

<section id="H0CA6F486CC034E95A42DF80B1ADEE1B9"><enum>70401.</enum><header>Mandatory telework</header>

<subsection id="H31C10BEC7C9A4DEF919533A33B1C70E2"><enum>(a)</enum><header>In general</header><text>During the emergency period, the Director of the Office of Management and Budget shall direct agencies to allow telework for all contractor personnel to the maximum extent practicable. Additionally, the Director shall direct contracting officers to document any decision to not allow telework during the emergency period in the contract file.</text></subsection>

<subsection id="H2CD256F76BC94D31BDB124BF73EE8C5E"><enum>(b)</enum><header>Emergency period defined</header><text>In this section, the term <term>emergency period</term> means the period thatâ€™</text>

<paragraph id="HF32C02109A974777A7212AD418C6B1D4"><enum>(1)</enum><text>begins on the date that is not later than 15 days after the date of the enactment of this Act; and</text></paragraph>

<paragraph id="H824C7ABE077F4A0B9B157113A31C1F8A"><enum>(2)</enum><text>ends on the date that the public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) as result of COVIDâ€™19, including any renewal thereof, expires.</text></paragraph></subsection></section>

<section id="H1F255B1947694514845A3E79FF5F1F6E"><enum>70402.</enum><header>Guidance on the implementation of section 3610 of the cares act</header><text display-inline="no-display-inline">Not later than 15 days after the date of the enactment of this Act, the Director of the Office of Management and Budget shall issue guidance to ensure uniform implementation across agencies of section 3610 of the CARES Act (Public Law 116â€"136). Any such guidance shallâ€"</text>

<paragraph id="H6A193324268E439585E05FBC747A4343"><enum>(1)</enum><text>limit the basic requirements for reimbursement to those included in such Act and the effective date for such reimbursement shall be January 31, 2020; and</text></paragraph>

<paragraph id="HBB253D676C2F477EBDBB07D032540E67"><enum>(2)</enum><text>clarify that the term <term>minimum applicable contract billing rates</term> as used in such section includes the financial impact incurred as a consequence of keeping the employees or subcontractors of the contractor in a ready state (such as the base hourly wage rate of an employee, plus indirect costs, fees, and general and administrative expenses).</text></paragraph></section>

<section id="H650AEB403E444BA9B9BB0952DB898A50"><enum>70403.</enum><header>Past performance ratings</header><text display-inline="no-display-inline">Section 1126 of title 41, United States Code, is amended by adding at the end the following new subsection:</text>

<quoted-block id="HBB4FC85E07C34288AEC7021C4B1B0FF6" style="OLC">

<subsection id="H6DC4040905D645F283731C8BAD748117"><enum>(c)</enum><header>Exception for failure to deliver goods or complete work due to covidâ€"19</header><text>If the head of an executive agency determines that a contractor failed to deliver goods or complete work as a result of measures taken as a result of COVIDâ€"19 under a contract with the agency by the date or within the time period imposed by the contract, any information relating to such failure may not beâ€"</text>

<paragraph id="H7DFE69D6CA0640AB88996838D0374454"><enum>(1)</enum><text>included in any past performance database used by executive agencies for making source selection decisions; or</text></paragraph>

<paragraph id="HCBAC4C6B3E27498DB3164A705EB298E3"><enum>(2)</enum><text>evaluated unfavorably as a factor of past contract performance.</text></paragraph></subsection><after-quoted-block>.</after-quoted-block></quoted-block></section>

<section id="H5E7AD36B36D64C5C820F3828337CDBCD"><enum>70404.</enum><header>Accelerated payments</header><text display-inline="no-display-inline">Not later than 10 days after the date of the enactment of this Act and ending on the expiration of the public health emergency declared pursuant to section 319 of the Public Health Service Act (42 U.S.C. 247d) as a result of COVIDâ€"19, including any renewal thereof, the Director of the Office of Management and Budget shall direct contracting officers to establish an accelerated payment date for any prime contract (as defined in section 8701 of title 41, United States Code) with payments due 15 days after the receipt of a proper invoice.</text></section></title>

<title id="HE4ECE4AC56F74F08ACDC59A29682A1BF"><enum>V</enum><header>District of Columbia</header>

<section id="HE9B82E3198764ECE9D0B1F9A520384A5"><enum>70501.</enum><header>Special borrowing by the District of Columbia</header>

<subsection id="H0E1C7D56C1204C958E84360559AD93CD"><enum>(a)</enum><header>Authorizing borrowing under municipal liquidity facility of Federal reserve board and similar facilities or programs</header><text>The Council of the District of Columbia (hereafter in this section referred to as the <quote>Council</quote>) may by act authorize the issuance of bonds, notes, and other obligations, in amounts determined by the Chief Financial Officer of the District of Columbia to meet cash-flow needs of the District of Columbia government, for purchase by the Board of Governors of the Federal Reserve under the Municipal Liquidity Facility of the Federal Reserve or any other facility or program of the Federal Reserve or another entity of the Federal government which is established in response to the COVIDâ€"19 Pandemic.</text></subsection>

<subsection id="HBE603D4184254ABDA1412BC91D4B62AA"><enum>(b)</enum><header>Requiring issuance to be competitive with other forms of borrowing</header><text>The Council may